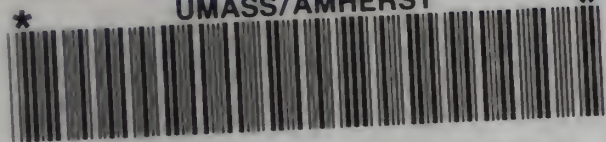


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# Commonwealth of Massachusetts

WILLIAM F. WELD  
Governor

UMASS/AMHERST



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## MOTOR VEHICLE LAW REFERENCE HANDBOOK

Fourth Edition

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## FOREWORD

The Massachusetts Criminal Justice Training Council is pleased to provide this Fourth Edition of its Motor Vehicle Law Reference Handbook to the law enforcement officers of the Commonwealth. It is intended to serve two purposes, (1) as a training aid in the instruction of the police recruit officer and (2) as a ready reference guide to assist police officers in their normal duties.

This Handbook does **not** include all automobile law violations. **Rather**, it was designed to provide the reader with some of the more common automobile law violations, their elements and penalties.

The Handbook has been divided into five sections. Section One contains definitions of terms used throughout the handbook. Section Two deals primarily with the issuance of citations and related procedures. Section Three deals largely with MGL Chapters 85, 89 and 90 although related offenses from other areas of the General Laws can be found in this section. Section Four serves as quick and ready reference to the District Courts of the state and the cities and towns within their respective jurisdictions. Section Five serves as a handy reference for police officers in the daily enforcement of automobile law violations.

The Council acknowledges with deep appreciation the contributions of Massachusetts State Police Trooper John W. Drawec, a staff member at the Massachusetts State Police Academy who performed the research for this Fourth Edition which is essentially an update of the Third Edition published in 1990 with suggested format changes for greater efficiency. The current edition includes changes in the law through July 1, 1992.

As always, the Council encourages suggestions and comments from members of the criminal justice community for the improvement of its publications.

William F. Weld  
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of  
Public Safety

William D. Baker  
Executive Director

## EDITORIAL NOTE

The Massachusetts General Laws use nouns and pronouns in the male gender in its context to denote both male and female. Solely to maintain consistency with the language of the statutory law, the male gender is used throughout this Handbook and it should not be interpreted otherwise.



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## SECTION ONE

All statutory citations appearing in this section are to MGL Ch. 90, except as otherwise specified.

### *Definitions:*

The following terms used in this Handbook shall have the following meaning, unless a different meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the Legislature:

**“Ambulance”**, a motor vehicle equipped and used exclusively for the transportation of the sick, injured or wounded persons, or a motor vehicle operated by a society incorporated under the laws of the commonwealth for the prevention of cruelty to animals, or for the care and protection of harmless or suffering animals, and used exclusively for the transportation of stray and neglected, sick, injured or wounded animals.

**“Antique motor car”**, any motor vehicle over twenty-five years old which is maintained solely for use in exhibitions, club activities, parades and other functions of public interest and which is not used primarily for the transportation of passengers or goods over any way, provided that the application for registration thereof is accompanied by an affidavit upon a form provided by the registrar which shall include a statement of the age and intended use of such motor vehicle.

**“Appellate division”**, in the case of the district and Boston municipal court departments, the appellate divisions of such departments established by section one hundred and eight of chapter two hundred and thirty-one; in the case of the juvenile court department, those justices appointed by the administrative justice to sit in one or more districts in panels of three justices in order to fulfill within such department the functions assigned by this chapter to the appellate division.

**“Application”**, an application by mail or otherwise to the registrar or any agent designated by him for the purpose, upon a blank provided by the registrar, and with which is deposited the fee provided in section thirty-three.

**“Audit sheet”**, a list of consecutive numbers assigned to the citations in a particular citation book or books, in such form as the registrar shall determine.

**“Auto home”**, any motor vehicle originally designed or permanently altered and equipped for human habitation which is not used



to transport property other than that property used for human habitation or camping purposes. A motor vehicle designed primarily to transport property which has been temporarily altered or equipped for human habitation shall not be deemed to be an auto home.

**“Automobile”**, any motor vehicle except a motorcycle.

**“Automobile law violation”**, any violation of any statute, ordinance, by-law or regulation relating to the operation or control of motor vehicles other than a violation (1) of any rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles established by any city or town or by any commission or body empowered by law to make such rules or regulations therein, or (2) of any provision of chapter one hundred and fifty-nine B. A recreation vehicle and a snow vehicle, both as defined in section twenty of chapter ninety B, and a motorized bicycle, as defined herein, shall be considered a motor vehicle for purposes of this chapter. A motor boat, as defined in section one of chapter ninety B, shall not be considered a motor vehicle for purposes of this chapter.

**“Automobile transporter”**, any vehicle combination, including a stringer-steered automobile transporter and a low-boy automobile transporter, designed and used specifically for the transport of assembled, capable of being driven, highway vehicles. The highway vehicles being transported may be carried on the power unit on an over-cab rack and behind the cab and on the semi-trailer or low-boy.

**“Boat transporter”**, any vehicle combination including a stringer-steered boat transporter and a low-boy boat transporter, designed and used specifically for the transport of assembled boats and boat hulls. The boats may be partially disassembled to facilitate transportation. Boats may be carried on the tractor so long as the length and width restrictions of the vehicle and load are not exceeded.

**“B-train assembly”**, a rigid frame extension attached to the rear frame of a first semi-trailer which allows for a fifth wheel connection point for a second semi-trailer in a tractor semi-trailer-semi-trailer unit.

**“B-train assembly unit”**, a motor vehicle composed of a tractor, semitrailer and semi-trailer with the semi-trailers connected by a B-train assembly.

**“Bus or motor bus”**, any motor vehicle operated upon a public way in any city or town for the carriage of passengers for hire in such a manner as to afford a means of transportation similar to that afforded by a railway company by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or

may be running, or for transporting passengers for hire as a business between fixed and regular termini, or transporting passengers for hire under a charter license, special service or school service permit issued by the department.

**“Certificate of Inspection”**, a serially numbered adhesive sticker, device, or symbol, as may be prescribed by the registrar, indicating a motor vehicle has met the inspection requirements established by the registrar for issuance of a certificate. The registrar may prescribe the use of one or more categories of certificate of inspection.

**“Certificate of rejection”**, a serially numbered, adhesive sticker, device or symbol, as may be prescribed by the registrar indicating a motor vehicle has failed to meet the safety or combined safety and emissions inspection requirements as established by the registrar.

**“Certificate of waiver”**, a serially numbered device or symbol, as may be prescribed by the registrar, indicating that the requirement of passing the emissions portion of the combined safety and emissions inspection has been waived for a vehicle pursuant to the provisions of this chapter.

**“Certified inspector”**, an individual certified by the commissioner as properly trained to perform an emissions inspection as delineated by the manufacturer of the emissions analyzer.

**“Child passenger restraint”**, a device manufactured for the purpose of transporting children under five years of age in a motor vehicle equipped with seat belts in accordance with the provisions of federal laws and regulations, and approved by the United States Department of Transportation pursuant to Federal Motor Vehicle Safety Standard #213.

**“Citation”**, a notice upon which a police officer shall record an occurrence involving all automobile law violations by the person cited. Each citation shall be numbered consecutively and shall be in such form and such parts as determined jointly by the administrative justice of the district court department and the registrar.

**“Citation book”**, not less than twenty citations, stapled or bound together in book form. Each such book shall be consecutively numbered.

**“Civil Motor Vehicle Infraction”**, an automobile law violation for which the maximum penalty does not provide for imprisonment, excepting: (a) operation of a motor vehicle in violation of the first paragraph of section ten of chapter ninety; (b) a violation of section twenty-five of chapter ninety; and (c) any automobile law violation committed by a juvenile under the age of seventeen who does not hold a valid operators license.



**“Criminal”**, shall include a delinquency matter under chapter one hundred and nineteen.

**“Commissioner”**, commissioner of the department of environmental protection.

**“Dealer”**, any person who is engaged principally and substantially in the business of buying, selling or exchanging motor vehicles or trailers or motor vehicle bodies who maintains a facility dedicated to carrying out said business and, except for a person who exchanges such vehicles on a wholesale basis, is open to the public.

**“Department”**, the department of highways.

**“District court”**, a division of the district court department or a session thereof for holding court and the Boston municipal court department or a session thereof for holding court. It shall also include the divisions of the juvenile court department with respect to automobile law violations that are treated as a delinquency matter in such department and with respect to civil motor vehicle infractions that are recorded in conjunction with and that arise from the same occurrence as automobile law violations that are treated as a delinquency matter in such department.

**“Division”**, a division of the district court department or juvenile court department or, in the case of the Boston municipal court department, the department.

**“Emissions analyzer”**, a device that measures the concentration of pollutants in motor vehicle exhaust.

**“Established place of business”**, a permanently enclosed premises owned or leased exclusively by a repairman which is open to the general public. Unless said business is limited solely to the towing of motor vehicles or trailers for the public, said repairman shall possess the necessary tools and facilities reasonably necessary to conduct a repair business. If more than one business is located within the same building or structure and the other businesses are not owned or controlled by the same principals, the repair business shall maintain a separate and exclusive entrance.

**“Farmer”**, any person who is engaged principally or substantially in the occupation of farming or raising horses, livestock or poultry, excluding domestic pets, on land owned or controlled by him for an ultimate commercial purpose.

**“Farming”**, the tillage or use of the soil to raise food for man or beast, the raising of tobacco, or the propagation and growing of trees, shrubs, vines and plants for transplanting and sale.

**“Fleet inspection station”**, a proprietorship, partnership or cor-



poration which owns or maintains a fleet of at least twenty-five motor vehicles and maintains a garage for the repair and maintenance of those vehicles and is licensed by the registrar to perform the safety or combined safety and emissions inspections on said motor vehicles.

**“Garage”**, any place where five or more motor vehicles are stored or housed at any one time for pay, except only such places in which motor vehicles are kept by the owners thereof without payment for storage.

**“Gross vehicle weight rating”**, the gross vehicle weight rating established by a manufacturer when applied to a motor vehicle, trailer, semi-trailer or semi-trailer unit, including the gross combination weight rating, if any, when applied to a semi-trailer unit or to a tractor-trailer combination.

**“Heavy duty platform trailer”**, a trailer other than a semitrailer, especially constructed for transporting machinery, contractors’ equipment, or other heavy or clumsy units. The top surface of the deck or platform of such a vehicle shall not be more than thirty-six inches above the surface on which the wheels of the vehicle rest.

**“House trailer”**, a vehicle having no motive power of its own, originally designed or permanently altered and equipped for human habitation which is not used to transport property other than property used for human habitation or camping purposes. A trailer designed primarily to transport property which has been temporarily altered or equipped for human habitation shall not be deemed to be a house trailer.

**“Incompetent person”**, a person lacking legal qualification, ability or fitness to operate motor vehicles or to hold a certificate of motor vehicle registration.

**“Inspection station”**, a proprietorship, or corporation licensed by the registrar to perform safety or combined safety and emissions inspections on motor vehicles.

**“Intersecting way”**, any way which joins another at an angle, whether or not it crosses the other.

**“Licensed private driver school”**, a person, partnership or corporation licensed by the registrar to give instruction for hire in the operation of motor vehicles.

**“Licensee”**, a fleet inspection station or inspection station.

**“Low-boy automobile transporter”**, a semi-trailer unit in which the trailer is designed and used specifically for the transport of assembled, capable of being driven, highway vehicles. The top surface of the deck platform of such semi-trailer shall not be more than

thirty-six inches above the surface on which the wheels of the vehicle rest.

**“Low-boy boat transporter”**, a semi-trailer unit in which the trailer is designed and used specifically for the transport of assembled boats and hulls. The top surface of the deck platform of such semi-trailer shall not be more than thirty-six inches above the surface on which the wheels of the vehicle rest.

**“Magistrate”**, the clerk-magistrate of a district court, or an assistant clerk who has been designated as a magistrate pursuant to section sixty-two B of chapter two hundred and twenty-one. With the approval of the administrative justice of the department, in a particular division the term “magistrate” may include a justice.

**“Manufacturer”**, any person who is engaged principally and substantially in the business of manufacturing motor vehicles, trailers, motor vehicle bodies or complete mechanical units for excavating or carrying materials and does not incidentally sell used motor vehicles.

**“Mobile construction crane”**, any motor vehicle having a construction type crane, including such a motor vehicle which exceeds the dimensional or weight limits imposed by sections nineteen and nineteen A of this chapter or by sections thirty or thirty A of chapter eighty-five.

**“Motorcycle”**, any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including any bicycle with a motor or driving wheel attached, except a tractor or a motor vehicle designed for the carrying of golf clubs and not more than four persons, an industrial three-wheel truck, a motor vehicle on which the operator and passenger ride within an enclosed cab, or a motorized bicycle.

**“Motorcycle split service brake system”**, a motorcycle brake system consisting of two or more subsystems actuated by a single control designed so that a leakage-type failure of a pressure component in a single subsystem, except structural failure of a housing that is common to all subsystems, shall not impair operation of the other subsystems.

**“Motorized bicycle”**, a pedal bicycle which has a helper motor, or a non-pedal bicycle which has a motor, with a cylinder capacity not exceeding fifty cubic centimeters, an automatic transmission, and which is capable of a maximum speed of no more than thirty miles per hour.

**“Motor vehicles”**, all vehicles constructed and designed for



propulsion by power other than muscular power including such vehicles when pulled or towed by another motor vehicle, except railroad and railway cars, vehicles operated by the system known as trolley motor or trackless trolley under chapter one hundred and sixty-three or section ten of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, vehicles running only upon rails or tracks, vehicles used for other purposes than transportation of property and incapable of being driven at a speed exceeding twelve miles per hour and which are used exclusively for the building, repair and maintenance of highways or designed especially for use elsewhere than on the travelled part of ways, wheelchairs owned and operated by invalids and vehicles which are operated or guided by a person on foot; provided, however, that the exception for trackless trolleys provided herein shall not apply to sections seventeen, twenty-one, twenty-four, twenty-four I, twenty-five and twenty-six. The definition of "Motor vehicles" shall not include motorized bicycles. In doubtful cases, the registrar may determine whether or not any particular vehicle is a motor vehicle as herein defined. If he determines that it should be so classified, he may require that it be registered under this chapter, but such determination shall not be admissible as evidence in any action at law arising out of the use or operation of such vehicle previous to such determination.

**"Non-resident"**, any person whose legal residence is not within the commonwealth.

**"Number plate"**, the sign or marker furnished by the registrar on which is displayed the register number or mark of a motor vehicle assigned to such motor vehicle by the registrar.

**"Operator"**, any person who operates a motor vehicle or trackless trolley.

**"Other than first Quality"**, any tire which has been sold or designated by the manufacturer thereof as not meeting its standard quality or appearance specifications for such brand of tire. Nothing herein shall be deemed to authorize the offering or sale of tires which do not meet any minimum safety standards established by or under the laws of the commonwealth or of the United States which may be applicable to such tires.

**"Owner"**, a person, other than a lienholder, having title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security and a bailee of any description.



**“Owner-contractor”**, any person who is not a manufacturer, dealer or repairman who owns a fleet of ten or more vehicles, trailers, special mobile equipment, mobile construction cranes or combination thereof, which is used or leased exclusively by him in his principal business and who maintains an establishment with facilities for the repair, alteration or equipment of such vehicles or trailers.

**“Persons”**, wherever used in connection with the registration of a motor vehicle, all persons who own or control such vehicles as owners, or for the purpose of sale, or for renting, as agents, salesmen or otherwise.

**“Police chief”**, the chief or the head of the organized police department of a city or town, the commissioner of public safety, the colonel of state police, the state superintendent of buildings, the chairman of the Massachusetts Turnpike Authority, such person as the trustees of the University of Massachusetts shall appoint as chief of the police officers appointed under section thirty-two A of chapter seventy-five, such persons as the commissioner of mental health may designate at each institution of the department of mental health, or as the commissioner of mental retardation may designate at each institution of the department of mental retardation as chief of the special police officers thereat appointed under section fifty-nine of chapter twenty-two C or the chief of the Massachusetts Bay Transportation Authority police department.

**“Police officer”**, any officer, other than an investigator or examiner of the transportation division of the department of public utilities, authorized to make arrest or serve criminal process, any person appointed by the registrar under section twenty-nine of chapter ninety, any person appointed by the trustees of the University of Massachusetts under section thirty-two A of chapter seventy-five, any person appointed by the trustees of Southeastern Massachusetts university under section seventeen of chapter seventy-five B and any person appointed by the colonel of state police under section fifty-nine of chapter twenty-two C.

**“Recreation vehicle”**, any motor vehicle designed or modified for use over unimproved terrain if used for recreation or pleasure off a public way as defined in chapter ninety, and all legally registered motor vehicles when used off a way, as defined under chapter ninety; provided, however, that for the purpose of vehicles used for agriculture, forestry, lumbering or construction shall be excluded from this definition when used for such purpose, provided, further, that in any complaint brought under this chapter the burden shall be upon the defendant to prove of such use. Any motor vehicle legally

registered under chapter ninety will not be subject to registration under this chapter but registration numbers shall be displayed as required by said chapter ninety.

**“Referee station”**, a location designated by the registrar to verify the accuracy of inspections performed by licensed inspection stations and to grant certificates of waiver.

**“Register number”**, the letter or letters, mark or marks, arabic numeral or numerals, or combinations thereof assigned by the registrar to a motor vehicle or trailer.

**“Registrar”**, the registrar of motor vehicles.

**“Repairman”**, any person who is principally and substantially engaged in the business of repairing, altering, reconditioning, equipping or towing motor vehicles or trailers for the public and who maintains an established place of business, as defined in this section.

**“Retread or recap”**, any tire, designed for use on motor vehicles or trailers, which has had its original tread removed and replaced with new tread rubber.

**“Right to operate”**, the privilege of operating motor vehicles on the ways of the commonwealth conferred by a license issued under section eight, a learner’s permit issued under section eight B, or by reciprocity to nonresidents under sections three and ten, including the right of residents of the commonwealth who are at least sixteen years of age to apply for such license or learner’s permit.

**“Routes of reasonable access”**, routes of access, as designated by the department as provided in section nineteen G, between the National Network, as defined in section nineteen F and such terminals, facilities for food, fuel, repairs, and rest as are located more than one road-mile in distance from the National Network.

**“Scheduled assessment”**, the amount of the civil assessment for a particular civil motor vehicle infraction, as established jointly by the administrative justice of the district court department and the registrar. A scheduled assessment shall not exceed the maximum assessment or fine established by law for each such violation. A schedule of such assessments shall be visibly posted in each office of the registry of motor vehicles and in the clerk-magistrate’s office of each district court.

**“School bus”**, any motor vehicle used for the transportation of school pupils and school personnel to and from school or for the transportation of children enrolled in a camp or recreational program, while so used, but not including any such motor vehicle used for not more than five days in case of emergency or a motor vehicle while



also used for the common carriage of the public under sections seven and eight of chapter one hundred and fifty-nine A, or a motor vehicle having permanent eating accommodations for and carrying not more than eight persons in addition to the operator, or a motor vehicle used to transport vocational students participating in a work project to and from a work site and having permanent seating accommodations for not more than fourteen persons in addition to the operator.

**“School pupil”**, any person enrolled in any school, kindergarten through grade twelve, or enrolled in any program for day care services, or in any program for children with special needs as defined in section one of chapter seventy-one B, or in any organized day or summer camp program or any activity supported by said schools.

**“Semi-trailer”**, a trailer so designed and used in combination with a tractor that some part of the weight of such trailer and that of its load rests upon, and is carried by, the tractor.

**“Semi-trailer unit”**, a motor unit composed of a tractor and a semi-trailer.

**“Snow vehicle”**, a motor vehicle designed to travel over ice or snow supported in whole or in part by skis, belts, or cleats.

**“Special mobile equipment”**, a motor vehicle which is principally designed to conduct excavations or lift building materials at a public or private construction site and is operated on a way for the sole purpose of transportation to or from said construction site and has a gross vehicle weight of at least twelve thousand pounds. This definition shall not include a motor vehicle which is designed to carry passengers, or any load, on a way.

**“Stinger-steered automobile transporter”**, an automobile transporter configured as a semi-trailer combination wherein the fifth wheel is located on a drop frame located behind and below the rear-most axle of the power unit.

**“Stinger-steered boat transporter”**, a boat transporter configured as a semi-trailer combination wherein the fifth wheel is located on a drop frame located behind and below the rear-most axle of the power unit.

**“Student”**, every person enrolled full time in a school, college or university, but not including any fully registered medical practitioner or any person enrolled in a school, college or university for the purpose of pursuing advanced or postgraduate studies or on the job training under any fellowship program, grant or other program which provides such person with any salary or compensation beyond the actual tuition costs of such schooling. In doubtful cases, the



registrar may determine whether or not this definition applies.

**“Tandem unit”**, a motor vehicle composed of a tractor, semitrailer and trailer.

**“Terminal”**, any location where: freight either originates, terminates, or is handled in the transportation process; or commercial motor carriers maintain operating facilities.

**“Thickly settled or business district”**, the territory contiguous to any way which is built up with structures devoted to business, or the territory contiguous to any way where the dwelling houses are situated at such distances as will average less than two hundred feet between them for a distance of a quarter of a mile or over.

**“Trackless trolley”**, an electrically operated, rubber wheeled vehicle receiving power from a fixed overhead source by way of a trolley mechanism.

**“Tractor”**, a motor vehicle with or without a carrying capacity of its own but which is primarily designed and used for drawing another vehicle or for industrial or agricultural purposes.

**“Trailer”**, any vehicle or object on wheels and having no motive power of its own, but which is drawn by, or used in combination with, a motor vehicle. It shall not include a pole dolly or pole dickey, so called, nor a pair of wheels commonly used as an implement for other purposes than transportation, nor a portable, collapsible or separate two wheel tow dolly limited only to the purpose of transporting or towing a registered vehicle, nor farm machinery or implements when used in connection with the operation of a farm or estate, nor any vehicle when towed behind a farm tractor and used in connection with the operation of a farm or estate.

**“Transporter”**, any person principally and substantially engaged in the business of transporting or delivering motor vehicles under their own power not owned by him and who possesses a valid license for said business issued by the department of public utilities, or any person or agent thereof, licensed to engage in the business of financing the purchase of or insuring motor vehicles who is required to take into possession such motor vehicles by foreclosure or subrogation of title.

**“Truck-trailer boat transporter”**, a boat transporter combination consisting of a truck towing a trailer using typically a ball and socket connection and where the trailer axle is located substantially at the trailer center of gravity, rather than at the rear of the trailer, but so as to maintain a downward force on the trailer tongue.

**“Violator”**, a person, corporation, society, association or partnership accused of an automobile law violation.

**“Way”**, any public highway, private way laid out under authority of statute, way dedicated to public use, or way under the control of park commissioners or body having like powers.

## SECTION TWO

### Issuance of Citations MGL Ch.90C, S.2

Each police chief shall issue citation books to each permanent full-time police officer of his department whose duties may or will include traffic duty or traffic law enforcement, or directing or controlling traffic, and to such other officers as he at his discretion may determine. Each police chief shall obtain a receipt on a form approved by the registrar from such officer to whom a citation book has been issued. Each police chief shall also maintain citation books at police headquarters for the recording of automobile law violations by police officers to whom citation books have not been issued.

Notwithstanding the provisions of any general or special law, other than a provision of this chapter, to the contrary, any police officer assigned to traffic enforcement duty shall, whether or not the offense occurs within his presence, record the occurrence of automobile law violations upon a citation, filling out the citation and each copy thereof as soon as possible and as completely as possible and indicating thereon for each such violation whether the citation shall constitute a written warning and, if not, whether the violation is a criminal offense for which an application for a complaint as provided by subsection B of section three shall be made, whether the violation is a civil motor vehicle infraction which may be disposed of in accordance with subsection (A) of said section three, or whether the violator has been arrested in accordance with section twenty-one of chapter ninety. Said police officer shall inform the violator of the violation and shall give a copy of the citation to the violator. Such citation shall be signed by said police officer and by the violator, and whenever a citation is given to the violator in person that fact shall be so certified by the police officer. The violator shall be requested to sign the citation in order to acknowledge that it has been received. If a written warning is indicated, no further actions need be taken by the violator. No other form of notice, except as provided in this section, need be given to the violator.

A failure to give a copy of the citation to the violator at the time and place of the violation shall constitute a defense in any court proceeding for such violation, except where the violator could not have been stopped or where additional time was reasonably necessary to determine the nature of the violation or the identity of the violator, or where the court finds that a circumstance, not inconsistent with



the purpose of this section to create a uniform, simplified and non-criminal method for disposing of automobile law violations, justifies the failure. In such case the violation shall be recorded upon a citation as soon as possible after such violation and the citation shall be delivered to the violator or mailed to him at his residential or mail address or to the address appearing on his license or registration as appearing in registry of motor vehicles records. The provisions of the first sentence of this paragraph shall not apply to any complaint or indictment charging a violation of section twenty-four, twenty-four G or twenty-four L of chapter ninety, providing such complaint or indictment relates to a violation of automobile law which resulted in one or more deaths.

At or before the completion of his tour of duty, a police officer to whom a citation book has been issued and who has recorded the occurrence of an automobile law violation upon a citation shall deliver to his police chief or to the person duly authorized by said chief all remaining copies of such citation, duly signed, except the police officer's copy which shall be retained by him. If the police officer has directed that a written warning be issued, the part of the citation designated as the registry of motor vehicles record shall be forwarded forthwith by the police chief or person authorized by him to the registrar and shall be kept by the registrar in his main office. If the registrar receives three such written warnings to the same offender within any twelve-month period, starting with the date of the first violation, the registrar shall, after due hearing pursuant to section twenty-two of chapter ninety, forthwith suspend the license or right to operate of such person for a period of seven days.

If the police officer has not directed that a written warning be issued and has not arrested the violator, the police chief or a person duly authorized by him shall retain the police department copy of each citation, and not later than the end of the fourth business day after the date of the violation:

(a) in the case of citations alleging only one or more civil motor vehicle infractions, shall cause all remaining copies of such citations to be mailed or delivered to the registrar; or

(b) in the case of citations alleging one or more criminal automobile law violations, shall cause all remaining copies of such citations to be delivered to the clerk-magistrate of the district court for the judicial district where the violation occurred. Failure to comply with the provisions of this paragraph shall not constitute a defense to any complaint or indictment charging a violation of section twenty-four, twenty-four G or twenty-four L of chapter ninety if such violation resulted in one or more deaths. Each clerk-magistrate shall maintain

a record in the form prescribed by the administrative justice of the district court department of such citations and shall notify the registrar of the disposition of such citations in accordance with the provisions of section twenty-seven of said chapter ninety.

If a citation is spoiled, mutilated or voided, it shall be endorsed with a full explanation thereof by the police officer voiding such citation, and shall be returned to the registrar forthwith and shall be duly accounted for upon the audit sheet for the citation book from which said citation was removed.

### **Disposing of Citation** MGL Ch.90C, S.9

It shall be unlawful and official misconduct to dispose of a citation or copies thereof, or of the record of the issuance of same in a manner other than as required by the provisions of this chapter.

### **Falsified Citation** MGL Ch.90C, S.10

Whoever knowingly falsifies a citation or copies thereof or a record of the issuance of same, or disposes of such citation, copy, or record, in a manner other than as required by the provisions of this chapter, or attempts so to falsify or dispose, or attempts to incite or procure another so to falsify or dispose shall be punished by a fine of not more than five hundred dollars or by imprisonment for a term not to exceed one year, or by both such fine and imprisonment.



## **SECTION THREE**

### **Automobile Law Violations and Their Elements**

#### **Abandonment of Motor Vehicles**

MGL Ch. 90, S.22B

##### ***Definition:***

Whoever abandons a motor vehicle registered or unregistered, upon any public or private way or upon any property other than his own without permission of the owner or lessee of said property.

##### ***Elements:***

1. abandons
2. a motor vehicle registered or unregistered
3. upon any public or private way or upon any property other than his own without the permission of the owner or lessee

##### ***Penalty:***

Civil Motor Vehicle Infraction. First Offense: fine of \$250.00. Second or subsequent offense: Fine of \$500.00. The Registrar may suspend license for a period not to exceed three months.

#### **Accident, Leaving the Scene, Death**

MGL Ch. 90, S.24(2)(a $\frac{1}{2}$ )(2)

##### ***Definition:***

Whoever without stopping and making known his name, residence and the registration number of his motor vehicle, goes away to avoid prosecution or evade apprehension after knowingly colliding with or otherwise causing injury to any person which results in the death of a person.

##### ***Elements:***

1. without stopping and making known his name, residence, and registration number of his motor vehicle
2. goes away
3. to avoid prosecution or evade apprehension
4. after knowingly colliding with or causing injury to a person which results in the death of a person
5. having operated
6. a motor vehicle
7. upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees

***Penalty:***

Felony. Imprisonment in state prison not less than two and one-half years nor more than ten years and by a fine of not less than \$1000.00 nor more than \$5000.00 or imprisonment in a jail or house of correction for not less than one year nor more than two and one-half years and by a fine of not less than \$1000.00 nor more than \$5000.00.

**Accident, Leaving the Scene, Injury**

MGL Ch. 90, S.24(2)(a<sup>1</sup>/<sub>2</sub>)(1)

***Definition:***

Whoever without stopping and making known his name, residence and the registration number of his motor vehicle, goes away to avoid prosecution or evade apprehension after knowingly colliding with or otherwise causing injury to any person.

***Elements:***

1. without stopping and making known his name, residence, and registration number of his motor vehicle
2. goes away
3. after knowingly colliding with or causing injury to a person which results in the death of a person
4. having operated
5. a motor vehicle
6. upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees

***Penalty:***

Misdemeanor. Imprisonment for not less than six months nor more than two years and by fine of not less than \$500.00 nor more than \$1000.00.

**Accident, Leaving the Scene, Property Damage**

MGL Ch. 90, S.24(2)(a)

***Definition:***

Whoever without stopping and making known his name, residence and the registration number of his motor vehicle goes away after knowingly colliding with or otherwise causing injury to any vehicle or property.

***Elements:***

1. without stopping and making his name, residence, and registration number of his motor vehicle
2. goes away



3. after knowingly colliding with or making known his name, residence, and registration number of his motor vehicle
4. having operated
5. a motor vehicle
6. upon any way or in any place to which the public has a right of access, or any place to which members of the public have access as invitees or licensees

***Penalty:***

Misdemeanor. Fine of not less than \$50.00 nor more than \$500.00 or by imprisonment for not less than 30 days nor more than two years, or both.

**Alcoholic Beverages, Transportation of, Person under 21**

MGL Ch. 138, S.34C

see "TRANSPORTATION"

**Alcohol, Driving Under the Influence of**

MGL Ch. 90, S.24(1)(a)

see "DRIVING UNDER"

**Alcohol, Driving Under Influence of, Refusal to Take Test for**

MGL Ch. 90, S.24(1)(f)

see "DRIVING UNDER"

**Alcohol, Driving Under Influence of, Test for**

MGL Ch. 90, S.24(1)(e)

see "DRIVING UNDER"

**Arrest Without a Warrant**

MGL Ch. 90, S.21

Any officer authorized to make arrests may arrest without a warrant and keep in custody for not more than twenty four hours, unless a Saturday, Sunday or holiday intervenes . . .

1 . . . .any person who, while operating a motor vehicle on any way . . . violates the provisions of the first paragraph of section ten of chapter ninety (Operation without license)

2 . . . .such person . . . operates a motor vehicle after his license in this state has been suspended or revoked by the registrar . . .

3 . . . .whoever . . . the officer has probable cause to believe has operated or is operating a motor vehicle under the influence of intoxicating liquor, marihuana or narcotic drugs or depressant or

stimulant substances . . .

4 . . . . whoever uses a motor vehicle without authority knowing such use is unauthorized . . .

5 . . . . any person who, while operating or in charge of a motor vehicle, violates the provision of section twenty-five of chapter ninety . . . (Refusal to Submit to a Police Officer)

6 . . . . whoever operates a motor vehicle . . . and without stopping and making known his name, residence and registration number of his motor vehicle goes away after knowingly colliding with or otherwise causing injury to any person.

### **Breakdown Lanes, Illegal Use of** MGL Ch. 89, S4B

#### ***Definition:***

Upon all ways the driver of a vehicle shall drive in the lane nearest the right side of the way when such lane is available for travel . . . When the right lane has been constructed or designated for purposes other than ordinary travel (emergency breakdown et al.) a driver shall drive his vehicle in the lane adjacent to the right lane . . .

#### ***Elements:***

1. upon all ways
2. Right lane constructed or designated for purposes other than ordinary travel (emergency breakdown et al.)
3. Driver fails to use lane or lanes adjacent to the specially designated lane.

#### ***Penalty:***

Civil Infraction. Fine of not more than \$100.00

### **Child Passenger Safety** MGL Ch. 90, S.7AA

#### ***Definition:***

No child five years old or less shall ride as a passenger in a motor vehicle on any way unless said child is wearing a safety belt which is properly adjusted and fastened or unless such child is properly fastened and secured by a child passenger restraint (pursuant to Federal Motor Vehicle Safety Standard #213).

No child who is older than five years of age but not older than twelve years of age shall ride as a passenger in a motor vehicle on any way unless said child is wearing a safety belt which is properly adjusted and fastened.



***Elements:***

1. child five years old or less
2. riding as a passenger
3. in a motor vehicle
4. on any way
5. failing to be secured by a properly adjusted and fastened safety belt **or** failing to be secured by a properly fastened child passenger restraint
6. not falling in a category of exceptions

**or**

1. child older than five years of age but not older than twelve years of age
2. riding as a passenger
3. in a motor vehicle
4. on any way
5. failing to be properly fastened and secured by a safety belt
6. not falling in a category of exceptions.

***Exceptions:***

1. riding as a passenger in a motor vehicle in which all seating positions equipped with safety belts or child passenger restraints are occupied by other passengers who are using said restraints
2. riding as a passenger in a motor vehicle used to transport passengers for hire
3. riding as a passenger in a motor vehicle not equipped with safety belts
4. physically unable to use safety belts or child passenger restraints

***Penalty:***

Civil Motor Vehicle Infraction. Fine not more than \$25.00.

**Crosswalk, Stopping in**  
MGL Ch. 89, S.11

***Definition:***

When traffic control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be so to yield, to a pedestrian crossing the roadway within a crosswalk marked in accordance with standards set by the department of highways if the pedestrian is on that half of the traveled part of the way on which the vehicle is traveling or if the pedestrian ap-

proaches from the opposite half of the traveled part of the way on which said vehicle was traveling.

No driver of a vehicle shall pass any other vehicle which has stopped at a marked corsswalk to permit a pedestrian to cross, nor shall any such operator enter a marked crosswalk until there is sufficient space beyond the crosswalk to accommodate the vehicle he is operating, notwithstanding that a traffic control signal may indicate that vehicles may proceed.

***Elements:***

1. driver fails to yield
2. pedestrian in marked crosswalk or
3. driver passing vehicle
4. said vehicle stopped to allow pedestrian to cross

***Penalty:***

Civil Motor Vehicle Infraction. Fine of up to \$100.00

**Death, Driving Under the Influence of Alcohol**

MGL Ch. 90, S.24G(a)

see “Homicide by Motor Vehicle, Driving under”

**Drinking from Open Container While Operating**

MGL Ch. 90, S.24I

***Definition:***

Whoever, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees operates a motor vehicle while drinking from an open container of any alcoholic beverage

***Elements:***

1. Upon any way or in any place to which the public has a right of access, **or** upon any way or in any place to which members of the public have access as invitees or licensees
2. operates
3. a motor vehicle
4. while drinking from
5. any open container of any alcoholic beverages

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not less than \$100.00 or not more than \$500.00.



**Driving in Right Lane, Failure to be**  
MGL Ch. 89, S.4B  
see "RIGHT LANE"

**Driving During Restricted Hours, Under 18**  
MGL Ch. 90, S.8  
see "RESTRICTED HOURS"

**Driving in a Single Lane, Failure to be**  
MGL Ch. 89, S.4A  
see "SINGLE LANE"

**Driving So As to Endanger**  
MGL Ch. 90, S.24(2)(a)

\*Driving So As to Endanger is a separate and distinct violation from Reckless Driving (Also S.24(2)(a))

***Definition:***

Whoever upon any way or in any place to which the public has right of access or any place to which members of the public have access as invitees or licensees, operates such a vehicle negligently so that the lives or safety of the public might be endangered.

***Elements:***

1. operates
2. a motor vehicle
3. upon any way or in any place to which members of the public have right of access **or** any place to which members of the public have access as invitees or licensees
4. negligently so that lives or safety of the public **might** be endangered

***Penalty:***

Misdemeanor/Criminal, fine of not less than \$50.00 nor more than \$500.00 or by imprisonment of not less than 30 days nor more than two years or both.

**Driving Without a License**  
MGL Ch. 90, S.10

***Definition:***

No person under sixteen years of age shall operate a motor vehicle upon any way. No other person shall so operate unless licensed by the registrar . . . no person shall operate on the ways of the Commonwealth . . . if the registrar shall have suspended or revoked any

license to operate motor vehicle . . .

***Elements:***

1. operates
2. a motor vehicle
3. upon any way
4. without a license **or** if his license has been suspended or revoked
5. or under age 16

***Exceptions:***

1. a valid learner's permit
2. a member of the armed forces with a license from his state of domicile **or** a member of the armed forces with a license issued by said armed forces to operate . . .
3. spouse of a member of the armed forces of the United States who is accompanying such member on military or naval assignment to this Commonwealth and who has a valid license from another state
4. returning from active duty as member of the United States armed forces, returning from foreign duty and has in possession license to operate in armed forces in foreign country (for not more than 45 days)
5. a non-resident who is duly licensed under the laws of the state from which the automobile is registered
6. non-residents with a valid out of state license where the state grants substantially similar privileges to residents of this Commonwealth . . .

***Penalty:***

Driving w/o license, Misdemeanor/Criminal. Fine of not less than \$100.00 nor more than \$200.00 (Ch. 90, S.20). Suspension or revocation, Misdemeanor/Criminal. Fine of not less than \$50.00 nor more than \$100.00 or by imprisonment for not more than 10 days for first offense or both. Subsequent offenses, imprisonment for not less than 10 days nor more than one year (Ch. 90, S.23).

**Driving Under the Influence Drugs/Alcohol**  
MGL Ch. 90, S.24(1)(a)

***Definition:***

Whoever, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which the members have access as invitees or licensees, operates a motor vehicle while under the influence of intoxicating liquor, or of marihuana, narcotic



drugs, depressants or stimulant substances, all as defined in Ch. 94C, or the vapors of glue.

***Elements:***

1. operates
2. a motor vehicle
3. upon any way or in any place to which the public has a right of access **or** upon any way or in any place to which members of the public have access as invitees or licensees
4. while under the influence of
  - a. intoxicating liquor or
  - b. marihuana or
  - c. narcotic drugs or
  - d. depressants or stimulants substances (as defined in Ch. 94C) or
  - e. vapors of glue

***Penalty:***

Misdemeanor—First offense, a fine of not less than one hundred and not more than one thousand dollars and/or imprisonment of not more than two years and enrollment in the Alcohol Education Program and license suspension from forty-five to one hundred and eighty days. Second offense, fine of not less than three hundred nor more than one thousand dollars and/or imprisonment of not less than fourteen days (mandatory) nor more than two years and license suspension for two years. Fourth offense, fine of not less than five hundred nor more than one thousand dollars and/or imprisonment of not less than six months (mandatory) and not more than two years and license suspension for ten years.

**Driving under the Influence of Drugs/Alcohol  
with Serious Bodily Injury (Felony)  
MGL Ch.90, S. 24L(1)**

Reader should contrast this with driving under the influence with serious bodily injury type 2. The following crime, MGL Ch.90, S. 24L(1), is a felony. The crime immediately following this is MGL Ch.90, S. 24L(2) is a misdemeanor. The major difference is the felony branch requires the additional element of reckless or negligent operation.

***Definition:***

Whoever, upon any way or in any place to which members of the public have right of access as invitees or licensees, operates a motor

vehicle while under the influence of intoxicating liquor, or marihuana, narcotic drugs, depressants, or stimulant substances, all as defined in chapter ninety-four C, or the vapor of glue, and so operates a motor vehicle recklessly or negligently so that lives of the public might be endangered.

***Elements:***

1. operates
2. a motor vehicle
3. upon any way or in any place to which the public has a right of access **or** upon any way or in any place to which members of the public have access as invitees or licensees
4. while under the influence of:
  - a. intoxicating liquor or
  - b. marihuana or
  - c. narcotic drugs or
  - d. depressants or stimulant substances
  - e. vapors of glue
5. is reckless **or** negligent
6. causes serious bodily injury

***Penalty:***

Felony, fine of not more than five thousand dollars and/or imprisonment for not less than two and one half years nor more than ten years in the state's prison or by not less than six months (mandatory) nor more than two and one half years in house of correction.

**Driving Under the Influence of Drugs/Alcohol  
with Serious Bodily Injury (Misdemeanor)  
MGL Ch.90, S. 24L (2)**

Reader should contrast this crime with driving under the influence with serious bodily injury type 1, immediately preceding this crime.

***Definition:***

Whoever, upon any way or in any place to which the public has a right of access or upon any way or in any place to which the public has a right of access as invitees or licensees operates a motor vehicle while under the influence of intoxicating liquor, or of marihuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C, or vapors of glue, and by such operation causes serious bodily injury.

***Elements:***

1. operates
2. motor vehicle



3. upon any way or in any place to which the public has a right of access **or** upon any way or place to which members of the public have access as invitees or licensees.
4. while under the influence of:
  - a. intoxicating liquor or
  - b. marihuana or
  - c. narcotic drugs or
  - d. depressants or stimulant substances
  - e. vapors of glue
5. causes serious bodily injury

***Penalty:***

Misdemeanor/Criminal, fine of not less than three hundred dollars and/or imprisonment for not more than two and one half years.

**Drunk Driving**

MGL Ch.90, S.24(1)(a)  
see "DRIVING UNDER"

**Drugs, Driving Under the Influence of**

MGL Ch.90, S.24(1)(a)  
see "DRIVING UNDER"

**Failure to Stop, Stop Sign, Flashing Red Light, Slow for Yield**  
MGL Ch.89, S.9

***Definition:***

Except when directed to proceed by a police officer, every driver of a vehicle approaching a stop sign or a flashing red signal indication shall stop at a clearly marked stopline, but if none, before entering the crosswalk or the nearest side of the intersecting roadway before entering it. After having stopped, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across within the intersection or junction of the roadways.

The driver of a vehicle approaching a yield sign shall in obedience of such sign slow down to a speed reasonable for existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, **or**, if none then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection

or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection or junction of roadways...

***Elements:***

1. vehicle approaching a stop sign **or** flashing red signal indication  
2. failure to stop at a clearly marked stop line **or** enters crosswalk on the near side of the intersection **or** the driver enters the intersecting roadway where the driver has no view of approaching traffic

or

1. failure to yield or stop  
2. with a vehicle in the intersection **or** approaching from another roadway or

or

1. driver approaching a yield sign  
2. fails to slow to a reasonable speed

or

3. stop if required

***Penalty:***

Civil Motor Vehicle Infaction. Fine of up to \$50.00

**Failure to Yield at Intersection, Rotary, Right and  
Left Turns on Red Lights or Stop Signals  
MGL Ch.89, S.8**

***Definition:***

When two vehicles approach or enter an intersection of any ways ...at approximately the same instant, the operator of the vehicle on the left shall yield the right-of-way... Any operator of a vehicle entering a rotary intersection shall yield the right-of-way to any vehicle already in the intersection. (The foregoing provisions do not apply when the operator is directed to the contrary by a police officer or a lawful traffic regulating sign, device or signal.) At any intersection on ways...in which vehicular traffic is facing a steady red indication in a traffic control signal, the driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk or intersection or, if none, then at the entrance to the intersection in obedience of such red signal or stop sign, may make a right turn or a left turn from a one-way street to another one way street **but** shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at said intersection. (This foregoing provision may be prohibited by the city or town provided that a sign prohibiting this practice is erected to give notice thereof.)



***Elements:***

1. two vehicles enter intersection at approximately the same time
  2. vehicle on the left fails to yield right-of-way to vehicle on the right
- or
1. vehicle approaching a rotary intersection
  2. fails to yield right-of-way to vehicle traveling within the rotary
- or
1. vehicle turning on red signal at intersection
  2. fails to yield to pedestrians **or** other traffic
- or
1. vehicle turning on red signal
  2. city or town has sign prohibiting the practice posted at the intersection.

***Penalty:***

Civil Motor Vehicle Infraction, Fine of not less than \$35.00

**Garbage, Unlawful Disposal of**  
MGL Ch.270, S.16

***Definition:***

Whoever places, throws, deposits, discharges or causes to be placed, thrown, deposited or discharged, any trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, waste or any other material of any kind on a public highway or within twenty yards thereof, or on any public land, or in or upon coastal or inland waters, as defined in section one of chapter 131, respectively, or within twenty yards of any such water, or on the property of another.

***Elements:***

1. places, throws, deposits, discharges, **or** causes to be placed, thrown, deposited or discharged
2. any trash, refuse, rubbish, garbage, debris, scrap, waste or any other material of any kind
3. on a public way **or** within twenty yards thereof **or** on any other public land **or** in or upon coastal or inland waters (as defined by Ch 131 S.1) **or** within twenty yards of any such water **or** on property of another.

***Exceptions:***

1. any official dumping ground approved by any public authority
2. permission of the owner of the land to place refuse on his/her property

***Penalty:***

Misdemeanor, fine of not more than \$2,500.00 for first offense, not more than \$10,000.00 for subsequent offenses (court may require

the defendant to remove material at his/her own expense). If a motor vehicle is used in committing such an offense the registrar may suspend the defendant's license and/or registration for not more than thirty days.

### **Garbage Barrels Along Highways, Restrictive Use** MGL Ch.270, S.17

#### ***Definition:***

Whoever disposes of household or commercial garbage or refuse by placing it in trash barrels placed on a public highway by the commonwealth, or by any political subdivision thereof for the convenience of the traveling public.

#### ***Elements:***

1. disposes
2. household or commercial refuse
3. placed in trash barrels placed on a public highway by the commonwealth or any political subdivision thereof
4. for the convenience of the traveling public

#### ***Penalty:***

Misdemeanor, fine of not less than \$200.00

### **Headphones While Operating Vehicle** MGL Ch.90, S.13 see "INTERFERENCE WITH OPERATION"

### **Homicide by Motor Vehicle** MGL Ch.90, S.24G(b)

#### ***Editorial Note:***

Reader should contrast this with homicide by motor vehicle under the influence of intoxicating substance (below felony). Under MGL Ch.90 S.24G(b) (above is a misdemeanor) the violator must be, operating under the influence **or** recklessly **or** negligently, any one of the three. Under MGL Ch.90, S.24G(a) (below) the violator must be operating under the influence **and** operating negligently so as to endanger

#### ***Definition:***

Whoever, upon any way or in any place to which the public has a right of access or any way or in any place to which members of the public have access as invitees or licensees, operates a motor vehicle while under the influence of intoxicating liquor, or of marihuana,



narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter 94C, or the vapors of glue **or** whoever operates a motor vehicle recklessly **or** negligently so that the lives or safety of the public is endangered and such operation causes the death of another person, shall be guilty of homicide by a motor vehicle.

***Elements:***

1. upon any way in any place to which the public has a right of access or in any place to which members of the public have access as invitees or licensees
2. operates
3. a motor vehicle
4. while under the influence of intoxicating liquor, or of marijuana, narcotic drugs, depressants or stimulant substances as defined in section one of chapter 94C, or vapors of glue

**or**

1. upon any way or in any place to which the public has a right of access or upon any way or in any place to which members of the public have access as invitees or licensees
2. operates
3. motor vehicle
4. recklessly **or** negligently so that the lives or safety of the public might be endangered
5. **and** by such operation causes the death of another

***Penalty:***

Misdemeanor. Imprisonment for not less than thirty days nor more than two and one half years and/or by a fine of not less than three hundred nor more than three thousand dollars.

**Homicide by Motor Vehicle While Under the Influence of Intox. Subst.**

MGL Ch.90, S.24G(a)

(reader should contrast this with homicide by motor vehicle MGL Ch.90, S.24G(b) immediately preceding)

***Definition:***

Whoever, upon any way or in any place to which the public has a right of access, or in any place to which members of the public have access as invitees or licensees, operates a motor vehicle while under the influence of intoxicating liquor, or of marihuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter 94C, or the vapors of glue, **and** so operates a motor vehicle recklessly or negligently so that the lives or safety of the public might

be endangered and by any such operation so described causes the death of another person, shall be guilty of homicide by a motor vehicle under the influence of intoxicating substance.

***Elements:***

1. upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees
2. operates
3. a motor vehicle
4. while under the influence of intoxicating liquors, or of marihuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter 94C, or the vapors of glue  
**and**
5. so operates a motor vehicle recklessly or negligently so that the lives or safety of the public might be endangered  
**and**
6. by any such operation so described causes the death of any person

***Penalty:***

Felony. Imprisonment in state prison for not less than two and one half years nor more than fifteen years and a fine of not more than \$5,000 or by imprisonment in a jail or house of correction for not less than one year nor more than two and one half years and a fine of not more than \$5,000. (The sentence shall not be reduced to less than one year by suspension, parole, probation or furlough)

**Implied Consent Law**  
**MGL Ch.90, S.24(1)(f)**

***Definition:***

Whoever operates a motor vehicle upon any way or in any place to which the public has right of access, or upon any way or in any place to which the public have right of access as invitees or licensees, shall be deemed to have consented to submit to a chemical test or analysis of his breath or blood in the event that he is arrested for operating a motor vehicle while under the influence of intoxicating liquor.

***Elements:***

1. under arrest for operating under the influence of liquor
2. refuses to submit to chemical test or analysis of breath or blood
3. after having been informed that his license or permit to operate a motor vehicle would be suspended.

***Penalty:***

License suspension for one hundred and twenty days.



**Hours, Restricted, Under 18 Driving During**  
MGL Ch.90, S.8  
see “RESTRICTED HOURS”

**Inspection Sticker, Lack of, Invalid**  
MGL Ch.90, S.20

***Definition:***

The registrar shall include, in the rules and regulations proposed by him under section thirty-one, rules and regulations providing for periodic inspection...such rules and regulations may provide for the issuance of a windshield sticker, so called, to the owner or person in control of every motor vehicle and for the display of such sticker on the windshield of each so inspected...

***Elements:***

1. motor vehicle
2. upon any way
3. operating pushes, draws or tows **or** permits to be operated pushed drawn or towed
4. without a valid inspection sticker

***Penalty:***

Civil Motor Vehicle Infraction, up to \$50.00 fine

**Insurance, Operating Without**  
MGL Ch.90, S.34J

***Definition:***

Whoever operates or permits to be operated a motor vehicle which is subject to the provision of section 1A of this chapter (registration of motor vehicles) during such time as the motor vehicle liability policy or bond or deposit required by the provisions of this chapter has not been provided and maintained in accordance therewith

***Elements:***

1. operates **or** permits to be operated
2. a motor vehicle subject to chapter 90, section 1A (registration of motor vehicles)
3. during such time as the motor vehicle liability policy or bond or deposit required by the provisions of chapter 90 have not been maintained in accordance therewith

***Exceptions:***

1. any person who operates a motor vehicle leased under any system referred to in S.32C (drive-it-yourself type vehicles, leased cars,

etc.) without knowledge that the lessor has not complied with the provisions of S. 32E (requirement of lessor to insure vehicle) relative to providing indemnity, protection or security for property damage

***Penalty:***

Misdemeanor/Criminal. Imprisonment in house of correction for not more than one year and/or a fine of not less than \$500.00 nor more than \$5,000.00 and 60 day license suspension.

**Interference With Operation**  
MGL Ch.90, S.13

***Definition:***

No person, when operating a motor vehicle, shall permit to be on or in the vehicle or on or about his person **anything** which may interfere with or impede the proper operation of the vehicle or any equipment by which the vehicle is operated or controlled, **except** that a person may operate a motor vehicle while using a citizens band radio or mobile telephone as long as one hand remains on the wheel at all times...No person shall drive any motor vehicle equipped with any television viewer, screen or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating a motor vehicle...No person shall operate a motor vehicle while wearing headphones, **unless** said headphones are used for communicating in connection with controlling the course of movement of said vehicle.

***Elements:***

1. operates
2. any motor vehicle
3. while anything interferes with or impedes the proper operation of the vehicle or any equipment

***Exceptions:***

1. citizens band radios\*
2. mobile telephones\*

\*as long as one hand remains on the steering wheel at all times

or

***Elements:***

1. operates
2. motor vehicle
3. equipped with television viewer, screen or other means of receiving television broadcast



4. said equipment is located at any point forward of the backseat or said equipment is visible to the driver while operating the motor vehicle

or

***Elements:***

1. operates
2. motor vehicle
3. while using a headphone (see exception)

***Exception:***

1. headphones are used in connection with controlling the course or movement of said vehicle.

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$35.00 for the 1st offense, not less than \$35.00 nor more than \$75.00 for the 2nd offense and not less than \$75.00 nor more than \$150.00 for subsequent offenses committed during any 12 month period.

**Intersection, Right of Way**

MGL Ch.89, S.8

see "FAILURE TO YIELD"

**Lane Changes, Unsafe**

MGL Ch.89, S.4A

see "UNSAFE"

**Larceny of Motor Vehicle or Trailer**

MGL Ch.266, S.28(a)

***Definition:***

Whoever steals, buys, receives, possesses, conceals or obtains control of a motor vehicle or trailer, knowing or having reason to know the same to have been stolen, or whoever takes a motor vehicle without the authority of the owner and steals from it any of its parts...

***Elements:***

1. taking
2. motor vehicle or trailer
3. with intent to permanently deprive

or

1. buys, receives, possesses, conceals or obtains control of
2. a motor vehicle or trailer
3. knowing or having a reason to know the motor vehicle or trailer to have been stolen

or

1. taking
2. a motor vehicle
3. without the authority of the owner
4. and steals from it any of its parts or accessories

***Penalty:***

Felony. Imprisonment in the state prison for not more than fifteen years or by imprisonment in jail or house of correction for not more than two and a half years and/or a fine of not more than \$15,000.00.

## **Learner's Permits/Hours**

MGL Ch.90, S.8B

***Definition:***

(Auto)—any person who is at least sixteen years of age, excepting persons who have been licensed and whose licenses are not in force due to revocation or suspension...may apply for a learner's permit...after the applicant has successfully passed all parts of the examination other than the driving test, (the registrar) may issue to the applicant a learner's permit which shall entitle him, while having such permit in his immediate possession, to drive a motor vehicle upon any way when accompanied by an operator, licensed by the registrar, who is eighteen years of age or older, who has at least one year of driving experience or who is a parent of the applicant and (the parent) is on active duty in the armed forces of the U.S. on assignment in the Commonwealth and has a valid license from the state of his domicile and who is occupying the seat beside the driver...If the applicant is under eighteen years of age, said learner's permit will **not** entitle him to operate a motor vehicle between the hours of one o'clock A.M. and five o'clock A.M. **unless** he is accompanied by his parent or legal guardian who is a licensed operator with at least one year experience and whose license or right to operate is not revoked or suspended.

(Motorcycle)—the learner's permit shall not entitle him to carry any passenger while operating such motorcycle upon any way **or** to operate a motorcycle upon any way anytime after sunset or before sunrise...

***Elements:***

1. operates
2. motor vehicle
3. upon any way
4. without a valid learner's permit (see Driving without license)

or



1. operates
2. motor vehicle
3. upon any way
4. with a valid learner's permit
5. without the accompaniment of an operator licensed by the registrar, who is at least eighteen years of age and with at least one year of driving experience or the parent of the applicant who is on active duty in the armed forces of the U.S. on assignment in the Commonwealth with a valid driver's license from his state of domicile and/or said person is beside the driver

or

1. operates
2. motor vehicle
3. upon any way
4. operator is under 18 years of age
5. time is between one o'clock A.M. and five o'clock A.M. (see "RESTRICTED HOURS")

or

1. operates
2. motorcycle
3. upon any way
4. with a valid learner's permit
5. carrying a passenger

or

1. operates
2. motorcycle
3. upon any way
4. with a valid learner's permit
5. after sunset and before sunrise

***Penalty:***

Civil Motor Vehicle Infraction. First offense not more than \$35.00, second offense not less than \$35.00 nor more than \$75.00, and not less than \$75.00 nor more than \$150.00 for subsequent offenses committed during any 12 month period.

**Leaving the Scene of an Accident, Injury**

MGL Ch.90, S.24(2)(a)

see "ACCIDENT"

## Left Turn, Improper

MGL Ch.90, S.14

### *Definition:*

When approaching for a left turn on a two-way street, an operator shall do so in the lane of traffic to the right of and the nearest to the center line of the roadway and the left turn shall be made by passing to the right of the center line of the entering way where it enters the intersection from his left. When turning left within an intersection or into an alley, private road or driveway an operator shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard. When approaching for a left turn on a one-way street, an operator shall do so in the lane of traffic nearest to the left hand side of the roadway, and as close as practicable to the left hand curb or edge of roadway.

### *Elements:*

1. operating
2. motor vehicle
3. approaching left hand turn on a two-way street
4. operator fails to turn from the lane to the right of and nearest to the center line of roadway and/or
5. the left turn is **not** made by passing to the right of the center line of the entering way where it enters the intersection from the left.

or

1. operating
2. motor vehicle
3. turning left within an intersection **or** into an alley, private road **or** driveway
4. operator fails to yield to any vehicle approaching from the opposite direction which is within the intersection **or** so close as to constitute an immediate hazard.

or

1. operates
2. motor vehicle
3. approaching a left turn on a one-way street
4. operator fails to turn from the lane of traffic nearest the left hand side of the roadway and as close as practicable to the left hand curb or edge of roadway.

### *Penalty:*

Civil Motor Vehicle Infraction. First offense not more than \$35.00, second offense not less than \$35.00 nor more than \$75.00 and not less than \$75.00 nor more than \$150.00 for subsequent offenses committed during any 12 month period.



**License, Driving Without a**  
MGL Ch.90, S.10  
see “Driving Without...”

**License, Not In Possession**  
MGL, Ch.90, S.11  
see “Registration or License...”

**Motorcycle, Protective Headgear**  
MGL Ch.90, S.7

Every person operating a motorcycle or riding as a passenger on a motorcycle or in a sidecar attached to a motorcycle shall wear protective head gear conforming with such minimum standards of construction and performance as the registrar may prescribe, and no person operating a motorcycle shall permit any other person to ride as a passenger on such motorcycle or in a sidecar attached to such motorcycle unless such passenger is wearing such protective head gear.

***Elements:***

1. operates, pushes, draws or tows or permits to be operated, pushed, drawn or towed
2. a motorcycle operator or passenger
3. upon any way
4. without protective headgear

***Penalty:***

Civil Motor Vehicle Infraction. First offense not more than \$35.00, second offense not less than \$35.00 nor more than \$75.00, and not less than \$75.00 nor more than \$150.00 for subsequent offenses committed during any 12 month period.

**Motorcycle, Travel/Passing**  
MGL Ch.89, S.4A

***Definition:***

The operators of motorcycles shall ride no more than two abreast, and shall ride single file when passing.

***Elements:***

1. operates
2. motorcylce
3. upon any way
4. more than two abreast

or

1. operates
2. motorcycle
3. upon any way
4. not in single file
5. while passing

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$100.00.

**Motorcycle Wind/Face Shield**

MGL Ch.90, S.7

***Definition:***

If a motorcycle is not equipped with a windshield or screen, the operator of such motorcycle shall wear eye glasses, goggles or a protective face shield when operating such vehicle.

***Elements:***

1. operates
2. a motorcycle
3. upon any way
4. without a windshield or screen and the operator does not wear eye glasses, goggles or protective face shield.

***Penalty:***

Civil Motor Vehicle Infraction, fine of not more than \$35.00 for the first offense; not less than \$35.00 nor more than \$75.00 for the second offense; not less than \$75.00 nor more than \$150.00 for subsequent offenses committed in a 12 month period.

**Motor Vehicle Homicide**

MGL Ch.90, S.24G (b)

see "HOMICIDE"

**Motor Vehicle, Unregistered**

MGL Ch.90, S.9

***Definition:***

No person shall operate, push, draw or tow any motor vehicle or trailer, and the owner or custodian of such a vehicle shall not permit the same to be operated, pushed, drawn or towed upon or to remain upon any way except as authorized by section three, unless such vehicle is registered in accordance with this chapter and carries its register number displayed...



***Elements:***

1. operates, pushes, draws or tows or permits to be operated, pushed, drawn or towed
2. a motor vehicle or trailer
3. upon any way
4. not registered in accordance with Chapter 90

***Exceptions:***

1. Trailer, trailer or truck (used exclusively for agricultural purposes—half mile limit, used for exclusively industrial purpose—300 yard limit and only to go from property owned or occupied by vehicle owner to other property owned or occupied by vehicle owner)
2. A new car may be unloaded from carrying truck on public way by a driver to car dealer's lot
3. A motor vehicle designed for carrying golf clubs and not more than 4 people
4. A motor vehicle owned by a cemetery if used for going from one part of property to another part of cemetery (one mile limit)
5. Earth-moving vehicles used exclusively for building, repair and maintenance of highways (300 yard limit)

***Penalty:***

Civil Motor Vehicle Infraction, fine of not more than \$100.00 for the first offense, and not more than \$1,000.00 for each subsequent offense.

**Motorist Aid Call Box, False Calls from or Tampering with  
MGL Ch.268, S.32**

***Definition:***

Whoever opens a motorist highway emergency aid call box on any state highway connected with a highway emergency signal system for the purpose of giving or causing to be given a false call for aid, or interferes in any way with such box, by breaking, cutting, injuring or defacing the same, or, without authority, opens, tampers or meddles with such box, or with any part or parts thereof, or with anything connected therewith, or, with such purpose, wantonly and without cause tampers or meddles with a motorist highway emergency aid callbox or with any part or thing connected therewith.

***Elements:***

1. opens
2. motorist highway emergency aid call box
3. on any state highway connected with a highway emergency signal system

4. for the purpose of giving **or** causing to be given a false alarm.
- or
1. interferes
  2. motorist highway emergency aid call box
  3. by breaking, cutting, injuring or defacing (the box)

- or
1. without authority
  2. opens, tampers or meddles **or** with such purpose, wantonly and without cause tampers or meddles with
  3. a motorist highway emergency aid call box **or** with any part or parts thereof, **or** with anything connected therewith.

***Penalty:***

Misdemeanor, fine of not less than \$100.00 nor more than \$500.00.

**Muffler, Illegal**  
**MGL Ch.90, S.16**

***Definition:***

No person shall operate a motor vehicle nor shall any owner of such vehicle permit it to be operated on any way...unless such motor vehicle is equipped with a muffler to prevent excessive or unnecessary noise, which muffler is in good working order and in consistent operation, and complies with such minimum standards for construction and performance as the registrar may prescribe. No person shall use a muffler cut-out or by-pass. No person shall operate a motor vehicle on any way which motor vehicle is equipped (1) with a muffler from which the baffle plates, screens or other internal parts have been removed and replaced (2) with an exhaust system which has been modified in a manner which will amplify or increase the noise emitted by the exhaust...

***Elements:***

1. motor vehicle
2. operates
3. upon any way
4. fails to be equipped with a muffler to prevent excessive or unnecessary noise (exception: fire department and fire patrol apparatus)

or

1. motor vehicle
2. operates
3. upon any way



4. and uses a muffler cut-out or by-pass and/or is equipped with a muffler from which the baffle plates, screens or other internal parts have been removed and not replaced.

or

1. motor vehicle
2. operates
3. upon any way
4. with an exhaust system which has been modified which will amplify or increase the noise emitted by exhaust.

***Penalty:***

Civil Motor Vehicle Infraction. Fine not less than \$20.00 nor more than \$100.00 (a complaint against a person for violation of this section may be placed on file at the discretion of the court if the violation appears to be unintentional.) Upon third or subsequent offense within a 12 month period, registrar shall suspend the person's license for 30 days).

**Noise from Vehicle, Illegal**  
**MGL Ch.90, S.16**

***Definition:***

No person operating a motor vehicle shall sound a bell, horn or other device, nor in any manner operate such motor vehicle so as to make a harsh, objectionable or unreasonable noise...

***Elements:***

1. operates
2. motor vehicle
3. upon a way
4. sounds a bell, horn or other device nor in any manner operate a motor vehicle so as to make a harsh, objectionable or unreasonable noise

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not less than \$20.00 nor more than \$100.00. (A complaint against a person upon violation of this section on file at the discretion of the court if the violation appears to be unintentional)...upon 3rd and subsequent offenses within 12 months, registrar shall suspend the violator's license for 30 days.

**Number Plate Concealment/Transfer**  
**MGL Ch.90, S.23**

***Definition:***

Any person who attaches or permits to be attached to a motor vehicle or trailer a number plate assigned to another motor vehicle or trailer,

or who obscures or permits to be obscured the figures on any number plate attached to any motor vehicle or trailer or who fails to display on a motor vehicle or trailer the number plate and the register number duly issued therefor, with intent to conceal the identity of such motor vehicle or trailer.

***Elements:***

1. attaches or permits to be attached
2. to a motor vehicle or trailer
3. a number plate assigned to another motor vehicle or trailer
4. with intent to conceal the identity of such motor vehicle or trailer

or

1. obscures or permits to be obscured
2. the figures on any number plate attached to
3. any motor vehicle or trailer
4. with intent to conceal the identity of such motor vehicle or trailer

or

1. fails to display
2. on a motor vehicle or trailer
3. the number plate and the register number duly issued therefor
4. with intent to conceal the identity of such motor vehicle or trailer

***Penalty:***

Misdemeanor/Criminal. Fine of not more than \$100.00 or by imprisonment for 10 days or both

**Open Container, Drinking from**

MGL Ch.90, S.24I

see "DRINKING"

**Passing of Motor Vehicle**

MGL Ch.89, S.2

***Definition:***

Except as herein otherwise provided, the driver of a vehicle passing another vehicle traveling in the same direction shall drive a safe distance to the left of such other vehicle; and, if the way is of sufficient width for two vehicles to pass, the driver of the leading one shall not unnecessarily obstruct the other. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on the audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. The driver of a vehicle may, if the



roadway is free from obstruction and of sufficient width for two or more lines of moving vehicles, overtake and pass upon the right of another vehicle when the vehicle being overtaken is a) making or about to make a left turn, b) upon a one way street, or c) upon any roadway on which traffic is restricted to one direction of movement.

***Elements:***

- 1. driver of vehicle passing another
- 2. traveling in same direction
- 3. drives safe distance, to the left of such other vehicle

or

- 1. vehicle passing another
- 2. in same direction
- 3. sufficient width for two vehicles to pass
- 4. driver of leading vehicle unnecessarily obstructs the other

or

- 1. vehicle passing another
- 2. in the same direction
- 3. overtaken vehicle fails to give right of way in favor of the overtaking vehicle on audible signal or should not increase the speed of his vehicle until completely passed by the overtaking vehicle

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$100.00

**Pedestrians in Crosswalk, Failure to Yield**

MGL Ch.89, S.11  
see "CROSSWALK"

**Police Officer, Failure to Obey**

MGL Ch.90, S.25

***Definition:***

Any person who, while operating or in charge of a motor vehicle, shall refuse, when requested by a police officer, to give his name and address or the name and address of the owner of such motor vehicle or who shall give a false name and address, or who shall refuse or neglect to stop when signaled to stop by any police officer who is in uniform or displays his badge conspicuously on the outside of his outer coat or garment, or who refuses, on demand of such officer, to produce his license to operate such vehicle or his certificate of registration, or to permit such officer to take the license or certificate in hand for the purpose of examination, or who refuses, on demand of any such officer, to sign his name in the presence of such officer...

***Elements:***

1. while operating or in charge of a motor vehicle
2. refuses when requested by a police officer
3. to give his name and address or the name and address of the owner of the vehicle

or

1. while operating or in charge of a motor vehicle
2. when requested by a police officer
3. to give his name and address or the name and address of the owner of the vehicle
4. gives a false name or address

or

1. refuses or neglects to stop
2. when signaled to stop by any police officer
3. who is in uniform **or** who displays his badge conspicuously on the outside of his outer coat or garment

or

1. refuses
2. on demand of any police officer
3. who is in uniform **or** who displays his badge conspicuously on the outside of his outer coat or garment
4. to produce his license to operate such vehicle **or** his certificate of registration **or** to permit such officer to take the license or certificate of registration in hand for the purpose of examination

or

1. refuses
2. on demand of any police officer
3. who is in uniform **or** who displays his badge conspicuously on the outside of his outer coat or garment
4. to sign his name in the presence of such officer

***Penalty:***

Misdemeanor/Criminal. Fine of \$100.00.

**Pollution Control Device**  
MGL Ch.90, S.70

***Definition:***

No person shall remove or render inoperative, except temporarily for maintenance purposes, any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations under the National Emission Standards Act, unless such device or element is to be replaced by or modified by another device or element, approved by the registrar, the installation of which will result in reduction of pollution emission.



***Elements:***

1. operates, pushes, draws or tows or permits to be operated, pushed, drawn or towed
2. a motor vehicle
3. upon any way
4. removes or renders inoperative any device or element installed on or in a motor vehicle or motor vehicle engine in compliance with regulations of National Emissions Standards Act

***Penalty:***

Civil Motor Vehicle Infraction. First offense not more than \$35.00; second offense not less than \$35.00 nor more than \$75.00; and not less than \$75.00 nor more than \$150.00 for subsequent offenses committed during any 12 month period.

**Pollution, Excessive Amounts from Motor Vehicle**

MGL Ch.90, S.16

see "SMOKE"

**Racing on a Public Way**

MGL Ch.90, S.24(2)(a)

***Definition:***

Whoever upon any way or in any place to which the public has a right of access or any place to which members of the public have access as invitees or licensees...or upon a bet or wager or in a race, or whoever operates a motor vehicle for the purpose of making a record and thereby violates any provisions or S.17 or any regulation under S.18 (speed regulation)...

***Elements:***

1. operates
2. a motor vehicle
3. upon any way or in any place the public has a right of access, or in any place to which the public has right of access as licensees or invitees
4. upon a bet or wager **or** in a race for the purpose of making a record thereby violates any provisions of S.17 or S.18 (speed regulations)

***Penalty:***

Misdemeanor/Criminal, fine of not less than \$20.00 nor more than \$200.00 or by imprisonment for not less than two weeks nor more than two years or both.

**Reckless Driving**  
MGL Ch.90, S.24(2)(a)

\*Reckless Driving is a separate and distinct violation from Driving to Endanger (also S.24(2)(a))

***Definition:***

Whoever upon any way or in any place to which the public has a right of access or any place to which the public has a right of access as invitees or licensees, operates a motor vehicle recklessly

***Elements:***

1. operates
2. motor vehicle
3. upon any way or in any place to which the public has a right of access or to which members of the public have right of access as invitees or licensees
4. recklessly

***Penalty:***

Misdemeanor/Criminal, fine of not less than \$20.00 nor more than \$200.00 or by imprisonment for not less than two weeks nor more than two years or both

**Red Light, Failure to Stop**  
MGL Ch. 89, S.9  
see "TRAFFIC CONTROL"

**Red Light, Flashing, Failure to Stop**  
MGL Ch.89, S.9  
see "TRAFFIC CONTROL"

**Registration or License, Certificate of in Possession/  
Exhibition of**  
MGL Ch.90, S.11

***Definition:***

Every person operating a motor vehicle shall have the certificate of registration for the vehicle and for the trailer, if any, and his license to operate upon his person or in the vehicle, in some easily accessible place...Any operator who knowingly collides with or causes injury to any person or damage to any property shall, upon the request of the person injured or the person owning or in charge of property damaged, plainly exhibit to such person his license and if required under the provisions of this chapter to carry the certificate of registration for the vehicle upon his person or in the vehicle, such certificate.



***Elements:***

1. operates
2. motor vehicle
3. does not have certificate of registration for such motor vehicle or trailer **or** does not have his license to operate
4. either upon his vehicle or in the vehicle in some easily accessible place

or

1. operator
2. knowingly collides with or causes injury to any person or damage to any property
3. after request of the person injured or the person owning or in charge of the property damaged
4. fails to plainly exhibit to such person his license and, if he is required to carry, the certificate of registration.

***Exceptions:***

Rental vehicle where photocopy of certificate of registration, accompanied by the rental agreement.

***Penalty:***

Civil Motor Vehicle Infraction, first offense not more than \$35.00, second offense not less than \$35.00 nor more than \$75.00, and not less than \$75.00 nor more than \$150.00 for subsequent offenses committed during any 12 month period.

**Restricted Hours, Operator 18 Driving During  
MGL Ch.90, S.8**

***Definition:***

A junior operator's license may under rules and regulations established by the registrar...Such license shall not entitle a licensee under eighteen years of age to operate a motor vehicle between the hours of one a.m. and four a.m. unless accompanied by a parent or legal guardian...who operates a motor vehicle otherwise...shall be deemed to be operating a motor vehicle without being duly licensed...

***Elements:***

1. operates
2. between the hours of one and four A.M.
3. motor vehicle
4. upon any way
5. under the age of eighteen
6. without the accompaniment of a parent or legal guardian

***Penalty:***

Civil Motor Vehicle Infraction. A fine of not more than \$35.00

for the first offense; not less than \$35.00 nor more than \$75.00 for a second offense; not less than \$75.00 nor more than \$150.00 for subsequent offenses committed during any 12 month period.

### **Revocation/Suspension of Licenses, Operation After MGL Ch.90, S.23**

#### ***Definition:***

Any person convicted of operating a motor vehicle after his license to operate has been suspended or revoked, or after notice of the suspension or revocation of his right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by his agent or employer, and prior to the restoration of such license or right to operate or the issuance to him of a new license to operate.

#### ***Elements:***

1. operates
2. a motor vehicle
3. after his license to operate has been suspended or revoked or after notice of suspension or revocation of his right to operate a motor vehicle without a license has been issued by the registrar and received by such person or his agent or employer
4. and prior to the restoration of such license or right to operate or to the issuance to him of a new license to operate

#### ***Penalty:***

Misdemeanor/Criminal. First offense, fine of not less than \$50.00 nor more than \$100.00 or by imprisonment for not less than 10 days nor more than 1 year, or both. Subsequent offenses, fine of not less than \$200.00 nor more than \$1000.00 or by imprisonment for not less than 10 days nor more than 2 years or both.

### **Right Lane, Failure to be in MGL Ch.89, S.4B**

#### ***Definition:***

Upon all ways the driver of a vehicle shall drive in the lane nearest the right side of the way when such lane is available for travel, except when overtaking another vehicle or when preparing for a left turn.

#### ***Elements:***

1. upon any way
2. fails to operate
3. motor vehicle
4. in the lane nearest the right side of the way when such lane is available for travel.



***Exceptions:***

1. when overtaking a vehicle
2. when preparing for a left hand turn

***Penalty:***

Misdemeanor/Civil Infraction. Fine of not more than \$100.00.

**Right Turn, Illegal**  
MGL Ch.90, S.14

***Definition:***

When turning to the right, an operator shall do so in the lane of traffic nearest the right-hand side of the roadway and as close as practicable to the right hand curb or edge of the roadway.

***Elements:***

1. failure to operate
2. motor vehicle
3. in the lane of traffic nearest the right-hand side of the roadway **and** as close as practicable to the right-hand curb or the edge of roadway.

***Penalty:***

Civil Motor Vehicle Infraction, fine of not more than \$35.00 for first offense; not less than \$35.00 nor more than \$75.00 for the second offense; not less than \$75.00 nor more than \$150.00 for subsequent offenses within twelve months.

**Right Turn on Red Light or Stop Sign**  
MGL Ch.89, S.8  
see "FAILURE"

**Signaling for Turn or Stop**  
MGL Ch.90, S.14B

***Definition:***

Every person operating a motor vehicle, before stopping said vehicle or making any turning movement which would affect the operation of any other vehicle, shall give a plainly visible signal by activating the brake lights or directional lights or signal as provided on said vehicle, and in the event electrical or mechanical signals are not operating or not provided, a visible signal by views of hand and arm shall be made.

***Elements:***

1. operating
2. motor vehicle
3. upon any way

4. before making any turning movement operator gives a plainly visible signal by activating the brake lights or directional lights **or** in the event electric or mechanical signals are not operating or not provided, a visible signal by means of hand or arm.

***Penalty:***

Civil Motor Vehicle Infraction. Fine less than \$25.00 for each offense.

**Single Lane Failure to be in  
MGL Ch.89, S.4A**

***Definition:***

When any way has been divided into lanes, the driver of a vehicle shall so drive that the vehicle shall be entirely within a single lane, and he shall not move from the lane in which he is driving until he has first ascertained if such movement can be made with safety...

***Elements:***

1. when any way has been divided into lanes
2. driver of a vehicle fails to so drive that the vehicle is entirely within a single lane

**or**

1. when any way has been divided into lanes
2. driver moves from the lane in which he is driving without first ascertaining that such movement can be made with safety.

***Penalty:***

Civil Motor Vehicle Infraction. Fine of up to \$100.00.

**Smoke/Pollutants, Excessive Amounts from Motor Vehicle  
MGL Ch.90, S.16**

***Definition:***

No person operating a motor vehicle shall...permit to escape from such vehicle smoke or pollutants in such amounts or at such levels as may violate motor vehicle air pollution control regulations.

***Elements:***

1. operates
2. motor vehicle
3. upon any way
4. permits to escape smoke or pollutants
5. at levels which violate clean air regulations.

***Penalty:***

Civil Motor Vehicle Infraction, fine of not less than \$20.00 nor more than \$100.00 (a complaint against a person upon violation of this section may be placed on file at the discretion of the court if the



violation appears to have been unintentional).

### **Speeding**

MGL Ch.90, S.17

(Reader should contrast this section with  
Ch.90, S.18 immediately following)

#### ***Definition:***

No person operating a motor vehicle on any way shall run it at a rate of speed greater than is reasonable and proper, having regard to traffic and the use of the way and the safety of the public. Unless a way is otherwise posted in accordance with the provisions of section eighteen, it shall be prima facie evidence that of a rate of greater than is reasonable and proper...if a motor vehicle is operated on a divided highway outside a thickly settled or business district at a rate of speed exceeding fifty miles per hour for a distance of a quarter of a mile, or (2) on any other way outside a thickly settled or business district at a rate of speed exceeding forty miles per hour for a distance of a quarter of a mile, or (3) inside a thickly settled or business district at a rate of speed exceeding thirty miles per hour for a distance of one-eighth of a mile, or (4) within a school zone which may be established by a city or town...at a rate of speed exceeding twenty miles per hour...If a speed limit has been duly established upon any way...operation of a motor vehicle at a rate of speed in excess of such posted limit shall be prima facie evidence that such speed is greater than is reasonable and proper; but, notwithstanding such establishment of a speed limit, every person operating a motor vehicle shall decrease the speed of the same when a special hazard exists with respect to pedestrians or other traffic, or by reason of weather or highway conditions. Except on a limited access highway, no person shall operate a school bus at a rate of speed exceeding forty miles per hour, while actually engaged in carrying school children.

#### ***Elements:***

1. operating
  2. a motor vehicle
  3. on any way
  4. at a rate of speed greater than is reasonable and proper having regard to traffic and the use of the way and safety of the public
- or
1. operating
  2. a motor vehicle
  3. on a divided highway outside a thickly settled or business district
  4. at a rate of speed exceeding fifty miles per hour for a distance of one quarter of a mile

or

1. operating
2. a motor vehicle
3. on any other way outside a thickly settled or business district
4. at a rate of speed exceeding forty miles per hour for a distance of one quarter of a mile

or

1. operating
2. a motor vehicle
3. on any way inside a thickly settled or business district
4. at a rate of speed exceeding thirty miles per hour for a distance of one-eighth of a mile

or

1. operating
2. a school bus
3. on any way except a limited access highway
4. at a rate of speed exceeding forty miles per hour
5. while actually engaged in carrying school children

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not less than \$50.00. Where said rate of speed was in excess of ten miles per hour over the speed limit for the way, an additional fine of \$10.00 shall be assessed for each mile per hour that exceeds ten miles per hour over the speed limit for the way.

**NOTE:** This is a *prima facie* statute. In all cases, one must show that speed was unreasonable and improper.

**Speeding**

MGL Ch.90, S.18

(Reader should contrast this section with  
Ch.90, S.17 immediately preceding)

***Definition:***

The city council, the transportation commission of the city of Boston, the board of selectmen, park commissioners, a traffic commission or traffic director, or the department, on ways within their control may make special regulations as to the speed of motor vehicles.

Any person, corporation, firm or trust owning a private parking area or owning land or abutting a private way, or any person, corporation, firm or trust controlling such land or parking area, with the written consent of the owner, may apply in writing...to make special regulations as to the speed of motor vehicles.



***Elements:***

1. operates
2. a motor vehicle
3. in violation of a special regulation made under the authority of section eighteen

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not less than \$50.00. Where said rate of speed was in excess of ten miles per hour over the speed limit for the way, an additional fine of \$10.00 shall be assessed for each mile per hour that exceeds ten miles per hour over the speed limit for the way.

**NOTE:** This is a *per se* speeding statute. One must show that a duly established speed limit made under the provisions of section eighteen was exceeded.

**Stopping in Crosswalk**

MGL Ch.89, S.11  
see "CROSSWALK"

**Stop Sign, Failure to stop at**

MGL Ch.89, S.9  
see "FAILURE"

**Suspended/Revoked License, Operation Under**

MGL Ch.90, S.23  
see "REVOCATION"

**Throwing Lighted Cigarettes from Vehicles**

MGL Ch.148, S.54

***Definition:***

Whoever drops or throws from any vehicle while the same is upon a public or private way running along or near forest land or open fields, or, except as permitted by law, drops, throws, deposits or otherwise places in or upon forest land, any lighted cigarette, cigar, match, live ashes or other flaming or glowing substance, or any substance or thing in and of itself is likely to cause a fire

***Elements:***

1. drops, throws, deposits or otherwise places
2. from any vehicle (motor)
3. while operating
4. upon a public or private way
5. along or near forest land or open fields

6. any lighted cigarette, cigar, match, live ashes or other flaming or glowing substance **or** any substance or thing in and of itself that is likely to cause a fire

***Penalty:***

Misdemeanor, fine of not more than \$100.00 or by imprisonment for not more than thirty days.

**Throwing or Dropping Glass on Public Way**  
MGL Ch.265, S.32

***Definition:***

Whoever throws or drops glass on a public way, or on or near a bathing beach, or on the immediate neighborhood of a bathing beach.

***Elements:***

1. throws or drops glass
2. on a public way, **or** on or near a bathing beach, or on a public way, sidewalk or reservation in the immediate neighborhood of a bathing beach.

***Penalty:***

Misdemeanor, fine of not more than \$100.00 or by imprisonment for not more than one month.

**Throwing or Dropping Object Onto Any Way**  
MGL Ch.265, S.35

***Definition:***

Whoever willfully or negligently drops, throws, or otherwise releases any object, missile or other article onto any way as defined in section one of chapter ninety, the turnpike as defined in clause (b) of section four of chapter three hundred fifty-four of the acts of nineteen hundred and fifty-two or the tunnels as defined in clause (d) of section one of chapter five hundred and ninety-eight of the acts of nineteen hundred and fifty-eight so that the lives or safety of the public might be endangered.

***Elements:***

1. willfully or negligently
2. drops, throws or otherwise releases
3. any object, missile or other article
4. on any way (as defined in section one of chapter 90) or on the turnpike (as defined by clause (6) of section 4 of chapter 354 of the Acts of 1952) or on the tunnels (as defined in clause (d) of section 1 of chapter 598 of the Acts of 1958)
5. so that the lives or safety of the public might be endangered



***Penalty:***

Misdemeanor, fine of not more than \$100.00 or by imprisonment for not more than one year, or both.

**Tires, Metal Studded**  
MGL, Ch.90, S.16

***Definition:***

No person, except a duly authorized person driving an emergency fire vehicle, shall operate a motor vehicle equipped with metal studded tires upon a public way between May the first and November the first.

***Elements:***

1. operates
2. motor vehicle
3. upon a way
4. equipped with metal studded tires
5. between May the first and November the first

***Exceptions:***

1. The registrar **may** authorize the use of such tires before November the first, if weather conditions require the use thereof.

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$50.00.

**Tires, Tread Depth**  
MGL, Ch.90, S.7Q

***Definition:***

No person, knowing that any tire of a motor vehicle fails to comply with regulations promulgated by the registrar relative to the minimum standards for visual and tread depth, shall operate such vehicle upon any way, and no owner of a motor vehicle knowing that any tire of such vehicle fails to comply with such regulations, shall permit such vehicle to be so operated.

***Elements:***

1. operates, pushes, draws or tows **or** permits to be operated, pushed, drawn or towed
2. a motor vehicle
3. knowing that any tire fails to comply with regulation promulgated by the registrar relative to minimum standards

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$35.00 first offense; not less than \$35.00 nor more than \$75.00 second offense; fine of not less than \$75.00 nor more than \$150.00 for subsequent

offenses committed during any 12 month period.

**Traffic Control Devices**  
MGL Ch.89, S.9

***Definition:***

The local authorities of a city or town authorized to enact ordinances or by-laws, or make rules, orders or regulations under provisions of S.22, Ch.40 of the General Laws may, after approval by the state department of highways as provided in S.2 of Ch.85 of the General Laws, designate any way or part thereof under the control of such city or town as a through way and may designate intersections or other roadway junctions of which vehicular traffic on one or more roadways shall stop or yield before entering the intersection or junction, and may, after notice of like approval, revoke any such designation. Such local authorities of a city or town having control of any way or part thereof so designated as a through way shall erect and maintain stop signs, yield signs and other traffic control devices at such designated intersections or junctions.

**\*THIS VIOLATION IS BASED ON LOCAL ORDINANCES OR BY LAWS ADOPTED BY THE LOCAL AUTHORITY.**

***Elements:***

1. violates
2. ordinances or by-law, rule, order or regulation
3. of local authorities of a city or town authorized to enact such (regarding stop signs, yield signs and other traffic control devices).

***Penalty:***

Civil Motor Vehicle Infraction, fine not more than \$50.00 for each offense.

**Trailers, Unregistered**  
MGL Ch.90, S.9  
see "UNREGISTERED"

**Transportation of Alcoholic Beverages, Persons under 21**  
MGL Ch.138, S.34C

\*A police officer may arrest without a warrant any person who violates this section.

***Definition:***

Whoever, being under twenty-one years of age and unaccompanied by his parent or legal guardian, knowingly transports or carries on his person any alcohol or alcoholic beverage



***Elements:***

1. under twenty-one years of age
2. unaccompanied by his parent or legal guardian
3. knowingly transports **or** carries on his person
4. any alcohol or alcoholic beverages

***Exceptions:***

1. any person between the age of eighteen and twenty-one who transports or carries on his person alcoholic beverages in the course of his employment.

***Penalty:***

Misdemeanor, fine of not more than \$50.00 (a conviction of a violation of this section shall be reported forthwith to the registrar of motor vehicles by the court if, at the time of the violation the defendant was operating a motor vehicle upon a public way or a way to which the public has a right of access as invitees or licensees, and said registrar may suspend for not more than three months the license of such person)

**Trespass of Land With Motor Vehicle**

MGL Ch.266, S.121A

***Definition:***

Whoever, without right, enters upon private land of another, whether or not such land is posted against trespass, or in so entering makes use of has in his immediate possession or control any vehicle, machine or device which includes an internal combustion engine or other source of mechanical power.

***Elements:***

1. without right
2. enters upon private land of another (whether or not it is posted against trespass)
3. and in so entering makes use of or has in his immediate possession or control
4. any vehicle, machine or device which includes an internal combustion engine or other source of mechanical power

***Exceptions:***

1. an entry at the junction of a public way with a paved private roadway (unless said private roadway is distinguished from the public way by a sign, gatepost, or the display of a street number or the name of the occupant of the premises, or by improvement of adjacent land, the type of construction of the roadway, or other distinguishing feature, or unless such entry has been forbidden by the person having lawful control of said private roadway)

***Penalty:***

Civil Motor Vehicle Infraction. A fine of not more than \$250.00

**Unauthorized Use of a Motor Vehicle**

MGL Ch.90, S.24(2)(a)

***Definition:***

Whoever uses a motor vehicle without authority knowing that such use is unauthorized.

***Elements:***

1. Uses
2. a motor vehicle
3. without authority
4. knowing that such use is unauthorized
5. upon any way or in any place to which public has a right of access, or in which members of the public have right of access as invitees or licensees.

***Penalty:***

(First offense is a misdemeanor and any subsequent offense is a felony) First offense is punishable by a fine of not less than \$50.00 nor more than \$500.00 or by imprisonment for not less than 30 days nor more than two years or both. Second offense is punishable by imprisonment in the state prison not more than 5 years or in a house of correction for not less than 30 days nor more than 2½ years or by a fine of not more than \$1000 or by both such fine and imprisonment.

**Uninsured Motor Vehicle**

MGL Ch.90, S.34J

see "INSURANCE"

**Unregistered Motor Vehicle or Trailer**

MGL Ch.90, S.9

see "MOTOR VEHICLE"

**Unsafe Lane Changes**

MGL Ch.89, S.4A

see "DRIVING"

**Vehicular Homicide**

MGL Ch.90, S.24G

see "HOMICIDE"



**Yield, Failure to Slow or Stop**  
MGL Ch.89, S.9  
see "FAILURE"

**Department of Highways**  
**Formerly known as Department of Public Works**  
**(Article Names and Citations)**

**Close, Following Motor Vehicle too**  
720 CMR 9.06(7)  
see "FOLLOWING"

**Construction, Operation of a Motor Vehicle on a**  
**Way Closed for**  
720 CMR 9.06(18)

***Definition:***

No operator shall enter upon the road surface of any highway or section thereof when, by reason of construction, surface treatment, maintenance or the like, or because of some unprotected hazard, such road surface is closed to travel, and one or more signs, lights or signals have been erected to indicate that all or part of the road surface of the highway is not to be used, or when so advised by an officer, watchman, member of the highway crew or employee of the Department (of Highways), either audibly or by signals.

***Elements:***

1. operated
2. under vehicle
3. upon a state highway
4. did enter upon the road surface of a highway or section thereof which is under construction or surface treatment or maintenance or some unprotected hazard.
5. Road surface was closed to travel, and one or more signs, lights or signals were erected to indicate that all or part of the road surface is not to be used or where so advised by an officer, watchman, member of the highway crew or employee of the Department.

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Crossover of Divided Roadway, Illegal**  
720 CMR 9.06(16)  
see "DIVIDED ROADWAY"

**Divided Roadway, Failure to Keep Right on**  
**720 CMR 9.06(16)**

***Cross Reference:***

Right Lane, Failure to be in, MGL Ch.89, S.4B

***Definition:***

Upon such roadways as are divided by a parkway, grass plot, reservation, viaduct, subway or by any structure or area, driver shall keep right of such a division and shall cross such parkway, grass plot or reservation only at a crossover. In the case of a State Highway which has no crossovers, access to the adjoining roadway shall be gained only by the proper use of under or overpass and ramps.

***Elements:***

1. operating
2. motor vehicle
3. upon State Highway
4. divided by parkway, grass plot, reservation, viaduct, subway or any structure
5. fails to keep right of such division or
6. fails to cross parkway, grass plot or reservation at a crossover.

***Exceptions:***

1. the foregoing provision shall not apply when drivers are otherwise directed by an officer, or official, signs, signals or markings

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Failure to Obey a Police Officer**  
**720 CMR 9.07(3)**

**Failure to Stop at Flashing Red Light**  
**720 CMR 9.06(10)**

**Following a Motor Vehicle too Closely**  
**720 CMR 9.06(7)**

***Definition:***

The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the condition of the highway.



***Elements:***

1. operating
2. motor vehicle
3. upon a state highway
4. following more closely than is reasonable and prudent

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Give Right of Way, Failure to do so While Vehicle Attempting to Pass**

720 CMR 9.06(4)  
see "PASSING"

**Intersection, Unlawful Entering**

720 CMR 9.04(6)(b)

***Cross Reference:***

INTERSECTION, RIGHT OF WAY, MGL Ch.89, S.8

***Definition:***

No driver shall enter an intersection or marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.

***Elements:***

1. operate
2. motor vehicle
3. upon a State Highway
4. entered an intersection **or** marked crosswalk
5. without sufficient space on the other side of the intersection of marked crosswalk and on the right half of the roadway
6. did obstruct the passage of vehicles or pedestrians

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Lane, Failure to Operate in Marked**

720 CMR 9.06(1)

***Cross reference:***

UNSAFE LANE CHANGES; MGL Ch.89, S.4A

***Definition:***

Upon all roadways the driver of a vehicle shall drive in the lane nearest the right side of the roadway when said lane is available for travel except when overtaking another vehicle or when preparing for a left turn.

***Elements:***

1. fails to operate
2. motor vehicle
3. upon a state highway
4. in the lane nearest the right side of the roadway when said lane is available

***Penalty:***

Non-Criminal. Fine of not more than \$20.00

**Lights, Traffic, Failure to Obey**

720 CMR 9.06(10)

see "TRAFFIC CONTROL"

**Markings, Traffic Signs, Failure to Obey**

720 CMR 9.06(23)

see "TRAFFIC"

**One Way Street Violations**

720 CMR 9.05(1)

***Cross Reference:***

ONE WAY TRAFFIC, MGL Ch.89, S.10

***Definition:***

Upon those highways designated by the Department (of Public Works) for one way traffic, and a sign posted for the same, no driver shall proceed except in the direction indicated by such signs

***Elements:***

1. operating
2. motor vehicle
3. upon a state highway
4. designated by the Department (of Public Works) for one way traffic
5. and posted as such
6. operated in direction other than was indicated by such signs

***Penalty:***

Non-Criminal. Fine of not more than \$20.00



**Operating, Failure to be in Marked Lanes While**  
720 CMR 9.06(1)  
see “LANE”

**Operating, Failure to be in Right Lanes While**  
720 CMR 9.06(2)  
see “LANE”

**Operating a Motor Vehicle on a Road Closed for Construction**  
720 CMR 9.06(18)  
see “CONSTRUCTION”

**Parked on State Highway**  
720 CMR 9.03(2)

***Definition:***

No person shall stop, stand or park a vehicle upon any State Highway except as otherwise provided in 720 CMR 9.03(3) (when official signs allow parking for designated time).

***Elements:***

1. did park
2. motor vehicle
3. on any state highway

***Exceptions:***

1. when official signs allow parking for a designated time
2. to change tire or make emergency repairs in the right-hand lane (unless car not under power, see 720 CMR 9.03(5))

***Penalty:***

Civil Motor Vehicle Infraction. Fine of up to \$15.00 (if paid within 21 days)

**Passing Vehicles, Failure to Give Way**  
720 CMR 9.06(5)

***Cross Reference:***

PASSING OF VEHICLES, MGL Ch.89, S.2

***Definition:***

The driver of vehicle when about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right when practicable in favor of the overtaking vehicle, on suitable and audible signal being given by the driver of the overtaking vehicle,

and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

***Elements:***

1. operating
2. motor vehicle
3. upon a state highway
4. about to be overtaken and passed by another vehicle approaching from the rear
5. on suitable and audible signal being given by the driver of the overtaking vehicle

**or**

1. operates
2. motor vehicle
3. upon a state highway
4. vehicle about to be overtaken and passed
5. shall not increase the speed of his vehicle until completely passed by the overtaking vehicle

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Passing Vehicle, Failure to Use Care While  
720 CMR 9.06(4)**

***Cross Reference:***

PASSING OF VEHICLES, MGL Ch.89, S.2

***Definition:***

The driver of a vehicle shall not overtake and pass a vehicle proceeding in the same direction unless there is sufficient clear space ahead on the right side of the roadway to permit the overtaking to be completed without impeding the safe operation of any vehicle to change his speed or alter his course, except as provided in 720 CMR 9.06(5).

***Elements:***

1. operating
2. motor vehicle
3. upon a state highway
4. did overtake and pass a vehicle proceeding in same direction
5. no being sufficient clear space ahead in the right side of the roadway to permit the overtaking to be completed without impeding the safe operation of a vehicle ahead



or

6. causing the driver of such vehicle (being overtaken) to change his speed or alter his course

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Police Officer, Failure to Obey**

720 CMR 9.07(3)

***Cross Reference:***

POLICE OFFICER, FAILURE TO OBEY, MGL Ch.90, S.25

***Definition:***

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer with regard to the direction, control or regulation of traffic. Any person acting in conformity with any such order or direction shall be relieved from any observance of these rules with which the order or direction may conflict.

***Elements:***

1. did willfully
2. fail or refuse to comply with any lawful order or direction
3. of a police officer
4. (the order is) in regard to the direction, control or regulation of traffic
5. on a state highway

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Ramp, Backing Up to Gain Access to**

720 CMR 9.08(3)

***Definition:***

No person shall back a vehicle for the purpose of gaining entrance to any Express State Highway off ramp. Exit from the highway shall be made only at succeeding exits. No person shall back a vehicle from any ramp which provides entrance or exit for Express State Highway.

***Elements:***

1. backed
2. motor vehicle
3. upon a state highway
4. for the purpose of gaining access to Express State Highway off ramp

or

5. backing from an entrance or exit ramp

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Rotary, Operating in Wrong Direction While in  
720 CMR 9.05(2)**

***Definition:***

Within areas specified and posted by the Department for rotary traffic, operators shall proceed only in rotary counterclockwise direction, except when otherwise directed by a police officer.

***Elements:***

1. operating
2. motor vehicle
3. upon a state highway
4. area was specified and posted by the Department for rotary traffic
5. failed to proceed in a rotary counterclockwise direction

***Exceptions:***

1. when otherwise directed by a police officer

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Sidewalk, Operating a Motor Vehicle Upon  
720 CMR 9.06(19)**

***Definition:***

The driver of a vehicle shall not drive upon any sidewalk except at a permanent or temporary driveway.

***Elements:***

1. operating
2. motor vehicle
3. upon any sidewalk

***Exceptions:***

1. at a permanent or temporary driveway

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00



**Signs, Traffic, Failure to Obey**

720 CMR 9.06(23)

see "TRAFFIC SIGNS"

**Starting, Failure to use Care While**

720 CMR 9.06(9)

see "STOPPING, TURNING OR STARTING"

**Stopping, Backing, Turning or Starting, Failure  
to Use Caution While**

720 CMR 9.06(9)

***Definition:***

Except as otherwise provided in 720 CMR 9.08(2)(a), the driver of any vehicle before starting, stopping, turning from a direct line, or backing shall first see that such movement can be made with safety. If such movement cannot be made in safety or if it interferes unduly with the normal movement of other traffic, said driver shall wait for a more favorable opportunity to make such movement. If the operation of another vehicle should be affected by stopping or turning movement, the driver of such other vehicle shall be given a plainly visible signal, as required by Ch.90, S.14B of MGL.

***Elements:***

1. operating
2. motor vehicle
3. on a state highway
4. did start such movement
5. without first seeing that such movement could be made with safety

**or**

1. operating
2. a motor vehicle
3. on a state highway
4. did turn such vehicle
5. without first seeing that such movement could be made with safety

**or**

1. operating
2. motor vehicle
3. on a state highway
4. did start such vehicle
5. without first seeing that such vehicle movement could be made with safety

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Traffic Control Signals (Lights), Failure to Obey**  
720 CMR 9.06(10)

***Cross Reference:***

TRAFFIC CONTROL DEVICES, MGL Ch.89, S.9

***Definition:***

Colors and arrow indications in traffic control signals shall have the commands ascribed to them in this section, and no other meanings and every driver of a vehicle, railway car or other conveyance shall comply therewith, except when otherwise directed by an officer or by a lawful traffic regulating sign, signal or device or except as provided in 720 CMR 9.06(24)(B) of these rules.

In no case shall a driver enter or proceed through an intersection without due regard to the safety of other persons within the intersection, regardless of what indications may be given by traffic control signals.

(a) GREEN—While the green lens is illuminated, drivers facing the signal may proceed through the intersection, but shall yield the right of way to pedestrians and vehicles lawfully within a crosswalk or the intersection at the lane such signal was exhibited. Drivers of such vehicles making right or left turns shall yield the right of way to pedestrians crossing with the flow of traffic.

(b) RIGHT, LEFT and VERTICAL GREEN ARROWS—When a right green arrow is illuminated, drivers facing said signal may turn right; when a left green arrow is illuminated, drivers facing the signal may turn left, when a vertical green arrow is illuminated, drivers facing the signal may go straight ahead. When a green arrow is exhibited together with a red or a yellow lens, drivers may enter the intersection to make the movement permitted by the arrow, but shall yield the right of way to vehicles proceeding from another direction on the green indications, and to pedestrians legally within the marked crosswalk.

(c) YELLOW—While the yellow lens is illuminated, waiting drivers shall not proceed. Any driver approaching the intersection or marked stop line shall stop at such point unless so close to the intersection that a stop cannot be made in safety; provided, however, that if a green arrow is illuminated at the same time drivers may enter the intersection to make movement permitted by such arrow.

(d) (1) RED—Driver of vehicles facing a steady CIRCULAR RED signal alone shall stop at a clearly marked stop line, or if none, before



entering the crosswalk on the near side of the intersection or none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in (2) below.

(2) **RED**—When a signal is in place permitting a turn, drivers of vehicles facing a steady **CIRCULAR RED** signal may cautiously enter the intersection to make the turn indicated by such signal after stopping as provided in (1) above. Such drivers shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and others lawfully using the intersection.

(e) **RED AND YELLOW**—While the red and yellow lenses are illuminated together, drivers shall not enter the intersection and during such time the intersection shall be reserved for the exclusive use of pedestrians.

(f) **FLASHING RED (Stop signal)**—When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a stop line when marked, and the right to proceed shall be subject to the provisions of Ch.89, S.8 of G.L.

(g) **FLASHING YELLOW (Caution signal)**—When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(h) **FLASHING GREEN**—A flashing green lens shall indicate a drawbridge, pedestrian crosswalk, fire station location, or intersection, subject to use at unscheduled intervals. Drivers may proceed only with caution and shall be prepared to comply with a change in the signal to a red or yellow or red and yellow indication.

***Elements:***

1. operates
2. motor vehicle
3. upon a State Highway
4. did not obey mechanical signal
5. by following regulations stated in 720 CMR

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Traffic Markings and Signs, Failure to Obey**  
**720 CMR 9.06(23)**

***Cross Reference:***

**STOP SIGN, FAILURE TO STOP AT TRAFFIC CONTROL DEVICE, MGL Ch.89, S.9**



***Definition:***

The driver of any vehicle or of any street car shall obey the instructions of any official traffic sign, signal, device, marking or legend unless otherwise directed by a police officer.

***Elements:***

1. operates
2. motor vehicle
3. upon a State Highway
4. fails to obey
5. any official traffic control sign, signal, device, marking or legend

***Exception:***

When otherwise directed by a police officer

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00

**Yield, Failure to**  
720 CMR 9.06(14)

***Cross Reference:***

YIELD, FAILURE TO SLOW, STOP OR, MGL Ch.89, S.9

***Definition:***

Every driver of a vehicle or other conveyance approaching an intersection of ways where there exists facing an official sign bearing the word "Yield" said sign having been erected in accordance with the written approval of the Department of Public Works (now known as the Department of Highways) of the Commonwealth of Massachusetts and such approval being in effect, shall surrender to oncoming traffic his right to enter the intersection until such time as he has brought his vehicle or other conveyance to a complete stop at a point between the said "Yield" sign and the nearer line of the street intersection provided, however, that this requirement to stop before entering the intersection shall not apply when a driver approaching a yield sign can enter the intersection in safety without causing interference to approaching traffic.

***Elements:***

1. operates
2. motor vehicle
3. approaching an intersection of ways
4. exists facing him an official sign bearing the word "Yield"

(said sign having been erected with written approval of Department of Highways)

5. fails to surrender to oncoming traffic his right to enter the intersection

***Penalty:***

Civil Motor Vehicle Infraction. Fine of not more than \$20.00



**SECTION FOUR**  
**Massachusetts District Court**  
**COURT ADDRESSES**

- |   |   |
|---|---|
| <p><b>01</b> Boston Municipal Court<br/>District Court Department<br/>Old Courthouse<br/>Pemberton Square<br/>Boston, MA 02108<br/>Tel. (617) 725-8460</p> <p><b>02</b> Roxbury Division<br/>District Court Department<br/>85 Warren Street<br/>Roxbury, MA 02119-3294<br/>Tel. (617) 427-7000</p> <p><b>03</b> South Boston Division<br/>District Court Department<br/>535 Broadway<br/>South Boston, MA 02127-4476<br/>Tel. (617) 268-9292</p> <p><b>04</b> Charlestown Division<br/>District Court Department<br/>3 City Square<br/>Charlestown, MA 02129-3799<br/>Tel. (617) 242-5400</p> <p><b>05</b> East Boston Division<br/>District Court Department<br/>37 Meridian Street<br/>East Boston, MA 02128-1960<br/>Tel. (617) 569-7550</p> <p><b>06</b> West Roxbury Division<br/>District Court Department<br/>445 Arborway, Forest Hills<br/>Jamaica Plain, MA 02130<br/>Tel. (617) 522-4710</p> | <p><b>07</b> Dorchester Division<br/>District Court Department<br/>510 Washington Street<br/>Dorchester, MA 02124-0850<br/>Tel. (617) 288-9500</p> <p><b>08</b> Brighton Division<br/>District Court Department<br/>52 Academy Hill Road<br/>Brighton, MA 02135-3396<br/>Tel. (617) 782-6521</p> <p><b>09</b> Brookline Division<br/>District Court Department<br/>360 Washington Street<br/>Brookline, MA 02146-6811<br/>Tel. (617) 232-4660</p> <p><b>10</b> Somerville Division<br/>District Court Department<br/>175 Fellsway<br/>Somerville, MA 02145-5108<br/>Tel. (617) 668-8000</p> <p><b>11</b> Lowell Division<br/>District Court Department<br/>41 Hurd Street<br/>Lowell, MA 01852-2295<br/>Tel. (508) 459-4101</p> <p><b>12</b> Newton Division<br/>District Court Department<br/>1309 Washington Street<br/>Newton, MA 02165-2077<br/>Tel. (617) 244-3600</p> |
|---|---|

## COURT ADDRESSES

- |   |   |
|---|---|
| <b>13</b> Lynn Division<br>District Court Department<br>580 Essex Street<br>Lynn, MA 01601-1064<br>Tel. (617) 598-5200            | <b>21</b> Marlborough Division<br>District Court Department<br>Williams Street/P.O. Box 64<br>Marlborough, MA 01752-0064<br>Tel. (508) 485-3706 |
| <b>14</b> Chelsea Division<br>District Court Department<br>121 third Street<br>Cambridge, MA 02141<br>Tel. (617) 252-0960         | <b>22</b> Newburyport Division<br>District Court Department<br>188 State Street<br>Newburyport, MA 01950-6637<br>Tel. (508) 462-2652            |
| <b>15</b> Brockton Division<br>District Court Department<br>155 West Elm Street<br>Brockton, MA 02401-4381<br>Tel. (508) 587-8000 | <b>23</b> Springfield Division<br>District Court Department<br>50 State Street<br>Springfield, MA 01103-2002<br>Tel. (413) 781-8100             |
| <b>16</b> Fitchburg Division<br>District Court Department<br>100 Elm Street<br>Fitchburg, MA 01420-3188<br>Tel. (508) 345-2111    | <b>25</b> Barnstable Division<br>District Court Department<br>Route 6A<br>Barnstable, MA 02630-0427<br>Tel. (508) 362-2511                      |
| <b>17</b> Holyoke Division<br>District Court Department<br>Court House Square<br>Holyoke, MA 01041-0865<br>Tel. (413) 538-9710    | <b>26</b> Orleans Division<br>District Court Department<br>Rock Harbor Road<br>Orleans, MA 02653-2398<br>Tel. (508) 255-4700                    |
| <b>18</b> Lawrence Division<br>District Court Department<br>381 Common Street<br>Lawrence, MA 01840-1266<br>Tel. (508) 687-7184   | <b>27</b> Pittsfield Division<br>District Court Department<br>24 Wendell Avenue<br>Pittsfield, MA 01201-0875<br>Tel. (413) 442-5468             |
| <b>20</b> Chicopee Division<br>District Court Department<br>30 Church Street<br>Chicopee, MA 01020-1896<br>Tel. (413) 594-5921    | <b>28</b> Northern Berkshire Division<br>District Court Department<br>City Hall<br>North Adams, MA 01247-3462<br>Tel. (413) 663-5339            |

## COURT ADDRESSES

- 29** Southern Berkshire Division  
District Court Department  
9 Gilmore Avenue  
Great Barrington, MA 01230  
Tel. (413) 528-3520
- 30** Northern Berkshire Division  
District Court Department  
65 Park Street  
Adams, MA 01220-2037  
Tel. (413) 743-0021
- 31** Taunton Division  
District Court Department  
15 Court Street  
Taunton, MA 02780-3223  
Tel. (508) 824-4032
- 32** Fall River Division  
District Court Department  
45 Rock Street  
Fall River, MA 02720-3196  
Tel. (508) 679-8151
- 33** New Bedford Division  
District Court Department  
75 North Sixth Street  
New Bedford, MA 02740-6141  
Tel. (508) 999-9700
- 34** Attleboro Division  
District Court Department  
88 North Main Street  
Attleboro, MA 02703-2279  
Tel. (508) 222-5900
- 35** Edgartown Division  
District Court Department  
P.O. Box 1284  
Main Street  
Edgartown, MA 02539-1284  
Tel. (508) 627-4622
- 36** Salem Division  
District Court Department  
65 Washington Street  
Salem, MA 01970-3572  
Tel. (508) 744-1167
- 38** Haverhill Division  
District Court Department  
James P. Ginty Blvd.  
P.O. Box 1389  
Haverhill, MA 01831-1389  
Tel. (508) 373-4151
- 39** Gloucester Division  
District Court Department  
197 Main Street  
Gloucester, MA 01930-6098  
Tel. (508) 283-2620
- 40** Ipswich Division  
District Court Department  
South Main Street  
Ipswich, MA 01938-9998  
Tel. (508) 358-2681
- 41** Greenfield Division  
District Court Department  
425 Main Street  
Greenfield, MA 01301-3387  
Tel. (413) 774-5533



## COURT ADDRESSES

**42** Orange Division  
District Court Department  
1 Court Square  
Orange, MA 01364-1099  
Tel. (508) 255-4700

**43** Palmer Division  
District Court Department  
Route 181  
Palmer, MA 01069-1191  
Tel. (413) 283-8916

**44** Westfield Division  
District Court Department  
27 Washington Street  
Westfield, MA 01085-2860  
Tel. (413) 568-8946

**45** Northhampton Division  
District Court Department  
15 Gothic Street  
P.O. Box 657  
Northhampton, MA 01060-0657  
Tel. (413) 584-7400

**46** Ware Division  
District Court Department  
P.O. Box Box 300  
71 South Street  
Ware, MA 01082-0300  
Tel. (413) 967-3301

**47** Concord Division  
District Court Department  
P.O. Box 728  
305 Walden Street  
Concord, MA 01742-0728  
Tel. (508) 369-0500

**48** Ayer Division  
District Court Department  
25 East Main Street  
Ayer, MA 01432-1607  
Tel. (508) 772-2100

**49** Framingham Division  
District Court Department  
600 Concord Street  
Framingham, MA 01701-8003  
Tel. (508) 875-7461

**50** Malden Division  
District Court Department  
89 Summer Street  
Malden, MA 02148-3338  
Tel. (617) 322-7500

**51** Waltham Division  
District Court Department  
38 Linden Street  
Waltham, MA 02154-6197  
Tel. (617) 894-4500

**52** Cambridge Division  
District Court Department  
P.O. Box 338  
40 Thorndike Street  
Cambridge, MA 02141-6811  
Tel. (617) 494-4330

**53** Woburn Division  
District Court Department  
30 Pleasant Street  
Woburn, MA 01801-4125  
Tel. (617) 935-4000

## COURT ADDRESSES

**54** Dedham Division  
District Court Department  
631 High Street  
Dedham, MA 02026-1848  
Tel. (617) 329-4777

**55** Stoughton Division  
District Court Department  
P.O. Box 29  
1288 Central Street  
Stoughton, MA 02072-2131  
Tel. (617) 344-2131

**56** Quincy Division  
District Court Department  
1 Dennis F. Ryan Parkway  
Quincy, MA 02169  
Tel. (617) 471-1650

**57** Wrentham Division  
District Court Department  
P.O. Box 248  
Route 140  
Wrentham, MA 02093-0248  
Tel. (508) 384-3106

**58** Hingham Division  
District Court Department  
28 George Washington Blvd.  
Hingham, MA 02043-1002  
Tel. (617) 749-7000

**59** Plymouth Division  
District Court Department  
7 South Russell Street  
Plymouth, MA 02360-3998  
Tel. (508) 747-0500

**60** Wareham Division  
District Court Department  
2200 Cranberry Highway  
Plymouth, MA 02567-6197  
Tel. (508) 295-8300

**61** Leominster Division  
District Court Department  
29 Church Street  
Leominster, MA 01453-3190  
Tel. (508) 537-3722

**62** Worcester Division  
District Court Department  
50 Harvard Street  
Worcester, MA 01608-1198  
Tel. (508) 757-8350

**63** Gardner Division  
District Court Department  
108 Matthews Street  
Gardner, MA 01440-0040  
Tel. (508) 632-2373

**64** Dudley Division  
District Court Department  
P.O. Box 100  
West Main Street  
Dudley, MA 01570-0100  
Tel. (508) 943-7123

**65** Uxbridge Division  
District Court Department  
South Main Street  
Uxbridge, MA 01569-0580  
Tel. (508) 278-2455

## COURT ADDRESSES

**66** Milford Division  
District Court Department  
P.O. Box 370  
161 West Street  
Milford, MA 01757-0370  
Tel. (508) 473-1260

**67** Westborough Division  
District Court Department  
P.O. Box 1449  
175 Milk Street  
Westborough, MA 01581-1449  
Tel. (508) 366-8266

**68** Clinton Division  
District Court Department  
P.O. Box 30  
Boylston Street  
Clinton, MA 01510-0030  
Tel. (508) 368-7811

**69** Spencer Division  
District Court Department  
501 Main Street  
Spencer, MA 01562-1997  
Tel. (508) 885-6305

**70** Winchendon Division  
District Court Department  
80 Central Street  
Winchendon, MA 01475-1610  
Tel. (508) 297-0158

**86** Peabody Division  
District Court Department  
1 Lowell Street  
Peabody, MA 01960-5411  
Tel. (508) 532-3100

**87** Natick Division  
District Court Department  
P.O. Box 627  
117 East Central Street  
Natick, MA 01760-0627  
Tel. (508) 853-4332

**88** Nantucket Division  
District Court Department  
P.O. Box 1800  
Broad Street  
Nantucket, MA 02554-1800  
Tel. (508) 228-0460



# MASSACHUSETTS DISTRICT COURT JURISDICTION LISTING

COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN
15	Abington	48	Boxborough	33	Dartmouth
47	Acton	38	Boxford	54	Dedham
33	Acushnet	68	Boylston	41	Deerfield
28	Adams	56	Braintree	26	Dennis
23	Agawam	26	Brewster	31	Dighton
29	Alford	15	Bridgewater	7	Dorchester
8	Allston	8	Bridgton	65	Douglas
22	Amesbury	43	Brimfield	54	Dover
45	Amherst	15	Brockton	11	Dracut
18	Andover	69	Brookfield	64	Dudley
52	Arlington	9	Brookline	48	Dunstable
16	Ashburnham	41	Buckland	59	Duxbury
48	Ashby	53	Burlington	5	East Boston
41	Ashfield	60	Buzzards Bay	15	East Bridgewater
49	Ashland	52	Cambridge	69	East Brookfield
42	Athol	55	Canton	23	East Longmeadow
34	Attleboro	47	Carlisle	26	Eastham
62	Auburn	60	Carver	45	Easthampton
55	Avon	41	Charlemont	31	Easton
48	Ayer	4	Charlestown	35	Edgartown
25	Barnstable	64	Charlton	29	Egremont
62	Barre	26	Chatham	42	Erving
29	Becket	11	Chelmsford	39	Essex
47	Bedford	14	Chelsea	50	Everett
46	Belchertown	30	Cheshire	33	Fairhaven
66	Bellingham	44	Chesterfield	32	Fall River
52	Belmont	20	Chicopee	25	Falmouth
31	Berkley	35	Chilmark	16	Fitchburg
68	Berlin	28	Clarksburg	28	Florida
41	Bernardston	68	Clinton	57	Foxboro
36	Beverly	56	Cohasset	49	Framingham
11	Billerica	41	Colrain	57	Franklin
65	Blackstone	47	Concord	32	Freetown
44	Blandford	41	Conway	63	Gardner
68	Bolton	45	Cummington	35	Gay Head
1	Boston	27	Dalton	38	Georgetown
25	Bourne	36	Danvers	41	Gill

# MASSACHUSETTS DISTRICT COURT JURISDICTION LISTING

COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN
39	Gloucester	6	Jamaica Plain	66	Mendon
45	Goshen	59	Kingston	37	Merrimack
35	Gosnold	60	Lakeville	18	Methuen
67	Grafton	68	Lancaster	60	Middleboro
46	Granby	27	Lanesborough	45	Middlefield
44	Granville	18	Lawrence	36	Middleton
29	Great Barrington	29	Lee	66	Milford
41	Greenfield	69	Leicester	62	Millbury
48	Groton	29	Lenox	56	Millis
38	Groveland	61	Leominster	65	Millville
45	Hadley	41	Leverett	56	Milton
59	Halifax	47	Lexington	41	Monroe
36	Hamilton	41	Leydon	43	Monson
43	Hampden	47	Lincoln	41	Montague
27	Hancock	48	Littleton	29	Monterey
30	Hancock	23	Longmeadow	44	Montgomery
58	Hanover	11	Lowell	29	Mount Washington
59	Hanson	43	Ludlow	13	Nahant
69	Hardwick	16	Lunenburg	88	Nantucket
68	Harvard	13	Lynn	87	Natick
26	Harwich	86	Lynnfield	54	Needham
45	Hatfield	50	Malden	28	New Ashford
38	Haverhill	36	Manchester	33	New Bedford
41	Hawley	34	Mansfield	69	New Braintree
41	Heath	13	Marblehead	29	New Marlborough
58	Hingham	60	Marion	42	New Salem
27	Hinsdale	21	Marlborough	22	Newbury
56	Holbrook	59	Marshfield	22	Newbury Port
62	Holden	35	Martha's Vineyard	12	Newton
43	Holland	25	Mashpee	57	Norfolk
49	Holliston	1	Mattapan	28	North Adams
63	Hubbardston	60	Mattapoissett	18	North Andover
21	Hudson	47	Maynard	34	North Attleboro
58	Hull	54	Medfield	67	Northborough
45	Huntington	10	Medford	65	Northbridge
6	Hyde Park	57	Medway	69	North Brookfield
40	Ipswich	50	Melrose	41	Northfield



# MASSACHUSETTS DISTRICT COURT JURISDICTION LISTING

COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN
45	Northampton	22	Rowley	41	Sunderland
53	North Reading	63	Royalston	65	Sutton
34	Norton	2	Roxbury	13	Swampscott
54	Norwood	44	Russell	32	Swansea
35	Oak Bluffs	62	Rutland	31	Taunton
62	Oakham	36	Salem	63	Templeton
42	Orange	37	Salisbury	11	Tewksbury
26	Orleans	29	Sandisfield	35	Tisbury
29	Otis	25	Sandwich	44	Tolland
64	Oxford	13	Saugus	36	Topsfield
43	Palmer	30	Savoy	48	Townsend
62	Paxton	58	Scituate	26	Truro
86	Peabody	31	Seekonk	11	Tyngsborough
45	Pelham	55	Sharon	29	Tyringham
59	Pembroke	29	Sheffield	66	Upton
48	Pepperell	41	Shelburne	65	Uxbridge
27	Peru	87	Sherborn	43	Wales
63	Petersham	48	Shirley	50	Wakefield
27	Pittsfield	41	Shutesbury	57	Walpole
45	Plainfield	67	Shrewsbury	51	Waltham
57	Plainville	32	Somerset	46	Ware
59	Plymouth	10	Somerville	60	Wareham
59	Plympton	3	South Boston	69	Warren
61	Princeton	67	Southborough	42	Warwick
26	Provincetown	64	Southbridge	27	Washington
56	Quincy	45	South Hadley	51	Watertown
31	Raynham	45	Southampton	49	Wayland
53	Reading	44	Southwick	64	Webster
6	Readville	69	Spencer	54	Wellesley
31	Rehoboth	23	Springfield	26	Wellfleet
14	Revere	68	Sterling	42	Wendell
27	Richmond	29	Stockbridge	36	Wenham
60	Rochester	53	Stoneham	62	West Boylston
58	Rockland	55	Stoughton	67	Westborough
39	Rockport	47	Stow	15	West Bridgewater
6	Roslindale	64	Sturbridge	69	West Brookfield
41	Rowe	49	Sudbury	44	Westfield



# MASSACHUSETTS DISTRICT COURT JURISDICTION LISTING

COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN	COURT NO.	CITY/TOWN
48	Westford	35	West Tisbury	70	Winchendon
45	Westhampton	54	Westwood	53	Winchester
63	Westminster	56	Weymouth	30	Windsor
22	West Newbury	41	Whately	5	Winthrop
32	Westport	15	Whitman	53	Woburn
51	Weston	43	Wilbraham	62	Worcester
6	West Roxbury	45	Williamsburg	45	Worthington
23	West Springfield	28	Williamstown	57	Wrentham
29	West Stockbridge	53	Wilmington	25	Yarmouth

## SECTION FIVE

### Automobile Law Violation Quick Reference

#### VIOLATIONS BY COMMON NAMES AND CITATIONS

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Abandoned M/V, Removing	C.90/S.24H		\$250.00	No
Abandoned M/V Stealing From	C.90/S.22E		\$250.00	No
Abandoning M/V	C.90/S.22B		\$250.00	No
Accident, Must Report in 5 days	C.90/S.26A		\$35.00	No
Accident, Report in Death Occurs	C.90/S.26A		\$35.00	No
Accident, Report if Person Hurt	C.90/S.26A		\$35.00	No
Accident, Report if Over \$1000.00	C.90/S.26A		\$35.00	No
Address, Refuse to Give	C.90/S.25		Criminal	In Pres.
Address Change, Fail	C.90/S.26		\$35.00	No
Alarm on Dump Body Raised	C.90/S.7		\$35.00	No
Alcohol, Drinking While Driving	C.90/S.24I		Criminal	No
Allow Uninsured Operation	C.90/S.34J		Criminal	No
Allow Unlicensed Operation	C.90/S.12		\$35.00	No
Allow Unregistered Operation	C.90/S.9		\$100.00	No
Altered Exhaust	C.90/S.16		\$100.00	No
Altered I.D.	C.90/S.24B		Criminal	Felony
Altered Inspection Sticker	C.90/S.24B		Criminal	Felony
Altered Learner's Permit	C.90/S.24B		Criminal	Felony
Altered License	C.90/S.24B		Criminal	Felony
Altered License Plate	C.90/S.23		Criminal	No
Altered Reg. Plate	C.90/S.23		Criminal	No
Altered Registration	C.90/S.24B		Criminal	Felony
Amber Light Req'd. Over 3 Tons	C.90/S.7		\$35.00	No
Animal, Fail To Slow For	C.90/S.14		\$35.00	No
Attaching License Plates, Unlaw.	C.90/S.23		Criminal	No
Authority, Using W/O	C.90/S.24		Criminal	In Pres.
Auxiliary Lights, Unlawful Use	C.90/S.31	540 CMR 2.12	\$35.00	No
Axle, Radial & Non Radial On Bald Tires	C.90/S.31	540CMR 4.04(11)(4)	\$35.00	No
Ball Joints Defective	C.90/S.7Q		\$35.00	No
Bicycle, Failure To Stop For	C.90/S.31	540 CMR 4.04(7)(c)	\$35.00	No
Bicyclist, Failure To Slow For	C.90/S.14		\$35.00	No
Bike, Failing to Slow For	C.90/S.14		\$35.00	No
Blind Person, Failure to Yield	C.90/S.14A		\$100.00	No
Blue Lights, Display W/O Permit	C.90/S.7E		\$300.00	No
Body, Alarm On Raised Dump	C.90/S.7		\$35.00	No

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Boom, Extending 15'/MV To Follow	C.90/S.19		\$100.00	No
Boom Extending Over 4' W/O Flag	C.90/S.19		\$100.00	No
Brake Lights, No	C.90/S.7		\$35.00	No
Brake, Fail To Set Parking	C.90/S.13		\$35.00	No
Brakes, Defective	C.90/S.7		\$35.00	No
Brakes, Electric/Air Req'd. For TT	C.90/S.7		\$35.00	No
Brakes, Not With Proper Breakdown Lane, Operating In	C.90/S.7		\$35.00	No
Broken Windshield	C.89/S.4B		\$100.00	No
Bulge on Tire	C.90/S.31	540 CMR 4.04(9)(b)	\$35.00	No
Bump on Tire	C.90/S.31	540 CMR 4.04(11)(3)	\$35.00	No
Bumper Mount On W/ Face Removed	C.90/S.31	540 CMR 4.04(12)(a)	\$35.00	No
Bumper Removed W/O Mount	C.90/S.31	540 CMR 4.04(12)(a)	\$35.00	No
Bumper, Sharp Edges	C.90/S.31	540 CMR 4.04(12)(a)	\$35.00	No
Bumpers, Broken	C.90/S.31	540 CMR 4.04(12)(a)	\$35.00	No
Cargo Not Covered	C.85/S.36		\$200.00	No
Change of Address, Fail To Notif.	C.90/S.26		\$35.00	No
Change of Name, Fail To Report	C.90/S.26		\$35.00	No
Chock Blocks, Fail To Use	C.90/S.13		\$35.00	No
Chock Blocks, Unable To Produce	C.90/S.13		\$35.00	No
CMR, Violation of 540	C.90/S.31		\$35.00	No
Comm. M/V in Left Lane	C.89/S.4C		\$100.00	No
Comm. MV W/O Name Displayed	C.90/S.31A		\$1000.00	No
Conceal Identity of M/V	C.90/S.23		Criminal	No
Cracked Windshield	C.90/S.31	540 CMR 4.04(9)(b)	\$35.00	No
Crosswalk, Fail To Stop	C.89/S.11		\$100.00	No
Crosswalk, M/V Stopped For	C.89/S.11		\$100.00	No
Dangerous Cargo, Stop at RR	C.90/S.15		\$200.00	No
Dealer Plate Misuse	C.90/S.5		\$500.00	No
Defective Ball Joints	C.90/S.31	540 CMR 4.04(7)(c)	\$35.00	No
Defective Brake Lights	C.90/S.7		\$35.00	No
Defective Brakes	C.90/S.7		\$35.00	No
Defective Exhaust	C.90/S.7		\$35.00	No
Defective Floor Pans	C.90/S.31	540 CMR 4.04(12)(c)	\$35.00	No
Defective Fuel Tank	C.90/S.31	540 CMR 4.04(12)(d)	\$35.00	No
Defective Gas Tank	C.90/S.31	540 CMR 4.04(12)(d)	\$35.00	No
Defective Horn or Signal	C.90/S.7		\$35.00	No
Defective Locking Device	C.90/S.7		\$35.00	No
Defective Stop Lights	C.90/S.7		\$35.00	No
Defective Tail Lights	C.90/S.7		\$35.00	No
Dimensions of M/V Too Large	C.90/S.19		\$100.00	No



OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Directional Signals, Not Using	C.90/S.14B		\$25.00	No
DPW Rule For Limited Access	C.85/S.2B		\$35.00	No
DPW Rule For State Hwy., Violation	C.85/S.2	720 CMR 9.00 et.seq.	\$20.00	No
Drag Racing	C.90/S.24		Criminal	No
Drinking Alcohol While Driving	C.90/S.24/		\$500.00	No
Driving In A Race	C.90/S.24		Criminal	No
Driving Negligently	C.90/S.24		Criminal	No
Driving Over Fire Hoses	C.89/S.7A		\$100.00	No
Driving To Endanger	C.90/S.24		Criminal	No
Driving Under Influence/Alcohol	C.90/S.24		Criminal	Prob. Cause
Driving Under Influence/Drugs	C.90/S.24		Criminal	Prob. Cause
Driving W/O License	C.90/S.10		Criminal	In Pres.
Driving While Drinking Alcohol	C.90/S.24/		\$500.00	No
Driving While Impaired	C.90/S.24		Criminal	Prob. Cause
Driving Within 800' Of Fire	C.89/S.7A		\$100.00	No
Dropping Load Upon A Way Dump Truck, Alarm When Raised	C.85/S.36		Criminal	No
DWI Causing Serious Injury	C.90/S.7		\$35.00	No
DWI/Intoxicating Liquor	C.90/S.24L		Criminal	Prob. Cause
DWI/Alcohol	C.90/S.24		Criminal	Prob. Cause
DWI/Drugs	C.90/S.24		Criminal	Prob. Cause
Emer. M/V, Fail To Yield To	C.90/S.24		Criminal	Prob. Cause
Emer. Flashers, Oper. W/	C.89/S.7A		\$100.00	No
Emer. M/V, Fail To Stop For	C.90/S.7		\$35.00	No
Emer. M/V, Follow W/I 300'	C.89/S.7A		\$100.00	No
Emer. M/V, Willfully Obstruct	C.89/S.7A		\$100.00	No
Endanger, Driving To	C.89/S.7		Criminal	No
Endanger W/Homicide By MV	C.90/S.24		Criminal	No
Endangering W/OUI and Injury	C.90/S.24G		Criminal	No
Excessive Noise, Oper. To Make	C.90/S.24L		Criminal	Felony
Excessive Smoke	C.90/S.16		\$100.00	No
Excessive Speed	C.90/S.16		\$100.00	No
Exhaust Fumes, Excessive	C.90/S.17	see pages 52,53	No	
Exhaust, Altered	C.90/S.16		\$100.00	No
Exhaust, Defective	C.90/S.16		\$100.00	No
Exhaust, Oper. W/O Proper	C.90/S.7		\$35.00	No
Exhibiting Another's License	C.90/S.16		\$100.00	No
Expired Inspection Sticker	C.90/S.23		Criminal	No
Explosive Cargo, Stop At RR	C.90/S.20		\$50.00	No
Eye Protection, MC Oper. W/O	C.90/S.15		\$200.00	No
	C.90/S.7		\$35.00	No

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Eyewear Req'd. For M/C Oper.	C.90/S.7		\$35.00	No
Fabric Cut On Tire	C.90/S.31	540 CMR 4.04(11)(3)	\$35.00	No
Fail Safety, Oper. MV	C.90/S.20		\$25.00	No
Fail To Conform Traffic Device	C.89/S.9		\$50.00	No
Fail To Grant Way To Oncoming MV	C.90/S.14		\$35.00	No
Fail To Have MV Inspected	C.90/S.20		\$50.00	No
Fail To Keep Back 300'/Emer. M/V	C.89/S.7A		\$100.00	No
Fail To Keep Right	C.89/S.4		\$35.00	No
Fail To Keep Right/ Intersection	C.90/S.14		\$35.00	No
Fail To Remove Reg. Upon Transfer	C.90/S.2B		\$35.00	No
Fail To Set Parking Brake	C.90/S.13		\$35.00	No
Fail To Slow For Animal	C.90/S.14		\$35.00	No
Fail To Slow For Bicyclist	C.90/S.14		\$35.00	No
Fail To Slow For Pedestrian	C.90/S.14		\$35.00	No
Fail To Stay In Lanes	C.89/S.4A		\$100.00	No
Fail To Stop At Crosswalk	C.89/S.11		\$100.00	No
Fail To Stop For School Bus	C.90/S.14		\$200.00	No
Fail To Use Right Lane If Available	C.89/S.4B		\$100.00	No
Fail To Yield At Rotary	C.89/S.8		\$35.00	No
Fail To Yield Right Of Way	C.89/S.8		\$35.00	No
Fail To Yield To Blind Person	C.90/S.14A		\$100.00	No
Fail To Yield To Emer. M/V	C.89/S.7A		\$100.00	No
Fail To Yield Where Posted	C.89/S.9		\$50.00	No
Farm Plate Misuse	C.90/S.5		\$500.00	No
Fenders Not In Place	C.90/S.31	540 CMR 4.04(12)(b)	\$35.00	No
Fenders, No	C.90/S.31	540 CMR 4.04(12)(b)	\$35.00	No
Film, Unlawful Window	C.90/S.9D		\$250.00	No
Fire Hoses, Driving Over	C.89/S.7A		\$100.00	No
Fire Lines, Driving Within	C.89/S.7A		\$100.00	No
Fire, Driving Within 800' Of	C.89/S.7A		\$100.00	No
Flares, Fail To Show Officer	C.85/S.14B		\$50.00	No
Flares, Improper PLacing Of	C.85/S.14B		\$50.00	No
Flashing Red, Fail To Stop At	C.89/S.9		\$50.00	No
Floor Pans, Defective	C.90/S.31	540 CMR 4.04(12)(c)	\$35.00	No
Fog Lights, Unlawful Use	C.90/S.31	540 CMR 2.12	\$35.00	No
Four-Way Flashers, No	C.90/S.7		\$35.00	No
Fuel Tank, Defective	C.90/S.31	540 CMR 4.04(12)(d)	\$35.00	No
Fumes, Excessive Exhaust	C.90/S.16		\$100.00	No
Gas Tank, Defective	C.90/S.31	540 CMR 4.04(12)(d)	\$35.00	No
Glass, Non Transparent	C.90/S.9D		\$250.00	No
Gridlock, Creating	C.89/S.9		\$50.00	No
Headgear, Req'd. on Moped	C.90/S.1B		\$25.00	No
Headgear, Req'd. on M/C	C.90/S.7		\$35.00	No
Headlight, One Req'd. On M/C	C.90/S.7		\$35.00	No
Headlights, Defective	C.90/S.7		\$35.00	No

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Headlights, Must be White				
Lights	C.90/S.7		\$35.00	No
Headlights, Oper. W/O	C.90/S.7		\$35.00	No
Headlights, Two Req'd. M/C				
W/Side	C.90/S.7		\$35.00	No
Headphones, Wearing While				
Operating	C.90/S.13		\$35.00	No
Height Markings, No	C.90/S.19		\$100.00	No
Height, MV Over Legal	C.90/S.19		\$100.00	No
Helmet, Req'd. On M/C Oper.	C.90/S.7		\$35.00	No
Helmet, Req'd. On M/C Pass.	C.90/S.7		\$35.00	No
Hemet Req'd. On Moped	C.90/S.1B		\$25.00	No
Homicide By M/V, W/OUI	C.90/S.24G		Criminal	Prob. Cause
Homicide By MV W/Endang.	C.90/S.24G		Criminal	No
Homicide By MV, W/OUI				
And Endang.	C.90/S.24G		Criminal	Felony
Horn or Signal Device, No	C.90/S.7		\$35.00	No
I.D. of M/V, Concealing	C.90/S.23		Criminal	No
I.D., Altered	C.90/S.24B		Criminal	Felony
Impeded Operation	C.90/S.13		\$35.00	No
Improper Display of Reg.				
Plate	C.90/S.6		\$35.00	No
Improper Operator, Permit	C.90/S.12		\$35.00	No
Improper Passing	C.89/S.2		\$100.00	No
Improper Turning	C.90/S.14		\$35.00	No
Inflammable Cargo, Stop At				
RR	C.90/S.15		\$200.00	No
Injury To Road Surface	C.85/S.30		\$100.00	No
Inspection Sticker, Altered	C.90/S.24B		Criminal	Felony
Inspection Sticker, Expired	C.90/S.20		\$50.00	No
Inspection Sticker, Oper. W/O	C.90/S.20		\$50.00	No
Inspection, Failure to Submit				
M V	C.90/S.20		\$50.00	No
Intersection, Fail To Stay Right	C.90/S.14		\$35.00	No
Keep Back 300' Of Emer.,				
Fail To	C.89/S.7A		\$100.00	No
Lane Change, Unsafe	C.89/S.4A		\$100.00	No
Lane, Turning From Wrong	C.90/S.14		\$35.00	No
Lanes, Fail To Stay In Marked	C.89/S.4A		\$100.00	No
Lash, Excess Steering Wheel	C.90/S.31	540 CMR 4.04(7)(b)	\$35.00	No
Leaking Fuel Tank	C.90/S.31	540 CMR 4.04(12)(d)	\$35.00	No
Leaking Gas Tank	C.90/S.31	540 CMR 4.04(12)(d)	\$35.00	No
Learner's Permit Violation	C.90/S.8A		\$35.00	No
Learner's Permit, Altered	C.90/S.24B		Criminal	Felony
Left Lane, CMV Oper. In	C.89/S.4C		\$100.00	No
Left Turn On Red Where				
Prohib.	C.89/S.8		\$35.00	No
Length, MV Over Legal	C.90/S.19		\$100.00	No
Lic. Plate, Altered	C.90/S.23		Criminal	No
Lic. Plate, Unlaw. Attaching				
Of	C.90/S.23		Criminal	No
Lic., Loaning To Another	C.90/S.24		Criminal	No



OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
License Plate, Improper Display	C.90/S.6		\$35.00	No
License Plate, Obstructed	C.90/S.6		\$35.00	No
License, Altered	C.90/S.24B		Criminal	Felony
License, Expired	C.90/S.10		Criminal	In Pres.
License, Nonresident Not Poss.	C.90/S.10		Criminal	In pres.
License, Not Easily Accessible	C.90/S.11		\$35.00	No
License, Not In Poss.	C.90/S.11		\$35.00	No
License, Operating W/O	C.90/S.10		Criminal	In Pres.
License, Refusing To Produce	C.90/S.25		Criminal	In Pres.
License, Using One Of Another	C.90/.S23		Criminal	No
Lights (Red or Blue) W/O Permit	C.90/S.7E		\$300.00	No
Lights, Amber On M/V Over 3 Tons	C.90/S.7		\$35.00	No
Lights, Defective	C.90/S.7		\$35.00	No
Lights, Not With Proper	C.90/S.7		\$35.00	No
Lights, Unlawful Use Of Fog	C.90/S.31	540 CMR 2.12	\$35.00	No
Limited Access Hwy. Rest.	C.85/S.2B		\$35.00	No
Load Not Covered	C.85/S.36		\$200.00	No
Loaning License To Another	C.90/S.24		Criminal	No
Lock And Remove Key, Fail To	C.90/S.13		\$35.00	No
Locking Device, No	C.90/S.7		\$35.00	No
M/C Two Abreast When Passing	C.89/S.4A		\$100.00	No
M/C Oper. W/O Eyewear	C.90/S.7		\$35.00	No
M/C Passenger W/O Proper Seat	C.90/S.13		\$35.00	No
M/C Permit Oper. After Sunset	C.90/S.8A		\$35.00	No
M/C Permit Oper Before Sunrise	C.90/S.8A		\$35.00	No
M/C Permit Oper. W/ Passenger	C.90/S.8A		\$35.00	No
M/C's Riding Over 2 Abreast	C.89/S.4A		\$100.00	No
M/C, Must Have One Headlight	C.90/S.7		\$35.00	No
M/V Not Registered, Oper.	C.90/S.9		\$100.00	No
M/V, Must Have Two Headlights	C.90/S.7		\$35.00	No
Mirror, No (Left and Rear View)	C.90/S.7		\$35.00	No
Misuse of Plates	C.90/S.5		\$500.00	No
Mixing Radial/Nonradial Tires	C.90/S.31	540 CMR 4.04(11)(4)	\$35.00	No
Motorized Bicycle, No Helmet	C.90/S.1B		\$25.00	No
Muffler, Altered	C.90/S.16		\$100.00	No
Muffler, No	C.90/S.7		\$35.00	No

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Muffler, Oper. W/O Proper	C.90/S.16		\$100.00	No
MV, Conceal I.D. Of	C.90/S.23		Criminal	No
Name Change, Fail To Report	C.90/S.26		\$35.00	No
Name Displayed, CMV W/O	C.90/S.31A		\$1000.00	No
Name, Refuse To Give	C.90/S.25		Criminal	In Pres.
Name, Refuse To Sign For P.O.	C.90/S.25		Criminal	In Pres.
Negligent Operation	C.90/S.24		Criminal	No
No Brake Lights	C.90/S.7		\$35.00	No
No Braking System	C.90/S.7		\$35.00	No
No Directional Signals	C.90/S.7		\$35.00	No
No Emergency Lights	C.90/S.7		\$35.00	No
No Four-Way Flashers	C.90/S.7		\$35.00	No
No Headlights	C.90/S.7		\$35.00	No
No Height Markings	C.90/S.19		\$100.00	No
No Helmet On Moped	C.90/S.1B		\$25.00	No
No Helmet, M/C Oper. and Pass.	C.90/S.7		\$35.00	No
No License In Possession	C.90/S.11		\$35.00	No
No License, Allow Operation W/	C.90/S.12		\$35.00	No
No License, Operating W/	C.90/S.10		Criminal	In Pres.
No Mirror To View Left Or Rear	C.90/S.7		\$35.00	No
No Registration In Possession	C.90/S.11		\$35.00	No
No Registration, Oper. MV W/	C.90/S.9		\$100.00	No
No Registration, Permit MV Oper.	C.90/S.9		\$100.00	No
No Safety Chains	C.90/S.7		\$35.00	No
No Slow Moving Emblem	C.90/S.7		\$35.00	No
No Splash Guards	C.90/S.7		\$35.00	No
No Tail Lights	C.90/S.7		\$35.00	No
Noise, Oper. To Make Unnecessary	C.90/S.16		\$100.00	No
Non Transparent Glass	C.90/S.9D		\$250.00	No
Nonresident Student W/O Sticker	C.90/S.3		\$50.00	No
Nonresident W/O Lic. In Possession	C.90/S.10		Criminal	In Pres.
Not Duly Licenses	C.90/S.10		Criminal	In Pres.
Not Possessing License	C.90/S.11		\$35.00	No
Not Possessing Registration	C.90/S.11		\$35.00	No
Obstructed License Plate	C.90/S.6		\$35.00	No
Obstructed Reg. Plate	C.90/S.6		\$35.00	No
Obstructed View, Passing W/	C.89/S.4		\$100.00	No
Obstructing Passing Vehicle	C.89/S.2		\$100.00	No
Occupying Moving Trailer	C.90/S.13		\$35.00	No
Oper. In Breakdown Lane	C.89/S.4B		\$100.00	No
Oper. MV W/O Inspection Sticker	C.90/S.20		\$50.00	No
Oper. On Prohibited Way	C.90/S.16		\$100.00	No
Oper. On Restricted Way	C.90/S.16		\$100.00	No
Oper. To Make Excessive Noise	C.90/S.16		\$100.00	No

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Oper. To Make Unreasonable Noise	C.90/S.16		\$100.00	No
Oper. Uninsured MV	C.90/S.34J		Criminal	No
Oper. W/ Television In View	C.90/S.13		\$35.00	No
Oper. While Wearing Headphones	C.90/S.13		\$35.00	No
Operating After Revocation	C.90/S.23		Criminal	In Pres.
Operating After Suspension	C.90/S.23		Criminal	In Pres.
Operating M/V That Fails Safety	C.90/S.20		\$25.00	No
Operating Negligently	C.90/S.24		Criminal	No
Operating To Endanger	C.90/S.24		Criminal	No
Operating W/O License	C.90/S.10		Criminal	In Pres.
Operation While Impaired	C.90/S.24		Criminal	Prob. Cause
OUI and Endang. W/ Homicide	C.90/S.24G		Criminal	Felony
OUI Causing Serious Injury	C.90/S.24L		Criminal	Prob. Cause
OUI Of Alcohol	C.90/S.24		Criminal	Prob. Cause
OUI Of Drugs	C.90/S.24		Criminal	Prob. Cause
OUI Of Intoxicating Liquor	C.90/S.24		Criminal	Prob. Cause
OUI W/ Negligent Oper. W/ Injury	C.90/S.24L		Criminal	Felony
Oversize MV	C.90/S.19		\$100.00	No
Parking Brake, Fail To Set	C.90/S.13		\$35.00	No
Parking Lights, Not Displaying	C.90/S.7		\$35.00	No
Pass M/V Stopped At Crosswalk	C.89/S.11		\$100.00	No
Passing On Right Where Prohibited	C.89/S.2		\$100.00	No
Passing W/ Obstructed View	C.89/S.4		\$100.00	No
Passing With W/O 400' View	C.89/S.4		\$100.00	No
Passing, Improper	C.89/S.2		\$100.00	No
Passing, M/C Not Single File	C.89/S.4A		\$100.00	No
Pedestrian, Fail To Slow For	C.90/S.14		\$35.00	No
Permit Attaching Plates	C.90/S.23		Criminal	No
Permit M/V Oper. Failing Safety	C.90/S.20		\$25.00	No
Permit Uninsured Operation	C.90/S.34J		Criminal	No
Permit Unlicensed Operation	C.90/S.12		\$35.00	No
Permit Unregistered Operation	C.90/S.9		\$100.00	No
Permit, Violation of Restriction	C.90/S.8A		\$35.00	No
Permitting Unregistered Oper.	C.90/S.9		\$100.00	No
Plates, Attaching Unlawfully	C.90/S.23		Criminal	No
Prohibited Way, Oper. On	C.90/S.16		\$100.00	No
Protection For Eyes, M/C Oper.	C.90/S.7		\$35.00	No
Racing	C.90/S.24		Criminal	No
Radial On Front/Non On Rear	C.90/S.31	540 CMR 4.04(11)(4)	\$35.00	No
Radial-Nonradial On Same Axle	C.90/S.31	540 CMR 4.04(11)(4)	\$35.00	No



OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Railroad, Dangerous Must Stop	C.90/S.15		\$200.00	No
Railroad, Explosive Must Stop	C.90/S.15		\$200.00	No
Railroad, School Bus Must Stop	C.90/S.15		\$1200.00	No
Rear Light, One On M/C	C.90/S.7		\$35.00	No
Rear Lights, Must Be Red	C.90/S.7		\$35.00	No
Rear Lights, Two on M/V	C.90/S.7		\$35.00	No
Reckless Operation	C.90/S.24		Criminal	No
Red Light, Fail To Stop	C.89/S.9		\$50.00	No
Red Light, Fail To Stop At Flash	C.89/S.9		\$50.00	No
Red Light, Left Turn At	C.89/S.8		\$35.00	No
Red Light, Right Turn At	C.89/S.8		\$35.00	No
Red Lights, Display W/O Permit	C.90/S.7E		\$300.00	No
Refuse To Give Address	C.90/S.25		Criminal	In Pres.
Refuse To Give Name	C.90/S.25		Criminal	In Pres.
Refuse To Produce License	C.90/S.25		Criminal	In Pres.
Refuse To Produce Registration	C.90/S.25		Criminal	In Pres.
Refuse To Sign Name	C.90/S.25		Criminal	In Pres.
Refuse To Stop For P.O.	C.90/S.25		Criminal	In Pres.
Refuse To Submit To P.O.	C.90/S.25		Criminal	In Pres.
Reg. Plate, Altered	C.90/S.23		Criminal	No
Reg. Plate, Improper Display	C.90/S.6		\$35.00	No
Reg. Plate, Unlaw. Attaching Of	C.90/S.23		Criminal	No
Reg., Refuse To Produce	C.90/S.25		Criminal	In Pres.
Registration Plates, Attaching	C.90/S.23		Criminal	No
Registration, Altered	C.90/S.24B		Criminal	Felony
Registration, Not Easily Access.	C.90/S.11		\$35.00	No
Registration, Not In Possession	C.90/S.11		\$35.00	No
Registration, Operating W/O	C.90/S.9		\$100.00	No
Registry Rule Violat.	C.90/S.31		\$35.00	No
Rejection Sticker, Over 20 Days	C.90/S.20		\$50.00	No
Repair Plate Misuse	C.90/S.5		\$500.00	No
Restricted Way, Oper. On	C.90/S.16		\$100.00	No
Revocation, Oper. After License	C.90/S.23		Criminal	In Pres.
Revoked License, Operating W/	C.90/S.23		Criminal	In Pres.
Right Lane, Fail To Use	C.89/S.4B		\$100.00	No
Right Turn On Red Where Prohibited	C.89/S.8		\$35.00	No
RMV Rule Violation	C.90/S.31		\$35.00	No
Roadway, Injury To Surface Of	C.85/S.30		\$100.00	No
Rotary, Fail To Yield At	C.89/S.8		\$35.00	No

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Safety Belt, Child Under 5 W/O	C.90/S.7AA		\$25.00	No
Safety Belts, Must Be In M/V	C.90/S.7		\$35.00	No
Safety Chains, Trlr. Ex. Semi	C.90/S.7		\$35.00	No
Safety Chains, Two Reqd. Tow Trlr.	C.90/S.7		\$35.00	No
Safety Standards, Fail To Meet	C.90/S.20		\$25.00	No
Safety Standards, Oper. MV Failing	C.90/S.20		\$25.00	No
School Bus, Fail To Stop For	C.90/S.14		\$200.00	No
School Bus, Stop At RR	C.90/S.15		\$200.00	No
Serious Bodily Injury, OUI W/	C.90/S.24L		Criminal	Prob. Cause
Signal Device Or Horn, No	C.90/S.7		\$35.00	No
Siren, Unlawful Use Of	C.90/S.16		\$100.00	No
Size of MV Too Large	C.90/S.19		\$100.00	No
Slow Moving Emblem, Horse Drawn	C.90/S.7		\$35.00	No
Slow Moving Emblem, No	C.90/S.7		\$35.00	No
Slow Moving Emblem, Under 25 MPH	C.90/S.7		\$35.00	No
Speed Greater Than Reasonable	C.90/S.17		see page 52	No
Speed, Exceeding Posted	C.90/S.18		see page 53	No
Speeding	C.90/S.17 or C.90/S.18		pages 52,53	No
Splash Guards, No	C.90/S.7		\$35.00	No
Splash Guards, Tire Extending	C.90/S.7		\$35.00	No
Spotlight, Unlawful Use Of	C.90/S.16		\$100.00	No
State Hwy. DPW Violation For	C.85/S.2	720 CMR 9.00 et.seq.	\$20.00	No
Steering Wheel Binding	C.90/S.31	540 CMR 4.04(7)(a)	\$35.00	No
Steering Wheel Interference	C.90/S.31	540 CMR 4.04(7)(a)	\$35.00	No
Steering Wheel Lash, Excess	C.90/S.31	540 CMR 4.04(7)(b)	\$35.00	No
Stop Lights, No	C.90/S.7		\$35.00	No
Stop Sign, Fail To Stop At	C.89/S.9		\$50.00	No
Studded Tires Out Of Season	C.90/S.16	540 CMR 4.04(11)(3)	\$50.00	No
Studded Tires, May 1-Nov 1	C.90/S.16		\$50.00	No
Student W/O Sticker, Nonresident	C.90/S.3		\$50.00	No
Suspended License, Operating W/	C.90/S.23		Criminal	In Pres.
Suspension, Oper. After License	C.90/S.23		Criminal	In Pres.
Tail Lights, Defective	C.90/S.7		\$35.00	No
Tail Lights, Must Be Red	C.90/S.7		\$35.00	No
Tail Lights, No	C.90/S.7		\$35.00	No
Television W/I Driver's View	C.90/S.13		\$35.00	No
Tinted Glass	C.90/S.9D		\$250.00	No
Tinted Windows	C.90/S.9D		\$250.00	No
Tire With Bulge	C.90/S.31	540 CMR 4.04(11)(3)	\$35.00	No
Tire With Bump	C.90/S.31	540 CMR 4.04(11)(3)	\$35.00	No

OFFENSE DESCRIPTION	STATUTORY REFERENCE	CODE OF MA. REG. REFERENCE	FINE/ CRIMINAL	RIGHT OF ARREST
Tire With Fabric Cut	C.90/S.31	540 CMR 4.04(11)(30)	\$35.00	No
Tire, Less Than 2/32" Tread	C.90/S.7Q		\$35.00	No
Tires, Bald	C.90/S.7Q		\$35.00	No
Tires, Mixing Radial/Nonradial	C.90/S.31	540 CMR 4.04(11)(4)	\$35.00	No
Tires, Studded Out Of Season	C.90/S.16		\$50.00	No
Traffic Device, Fail To Conform	C.89/S.9		\$50.00	No
Trailer, Occupying Moving	C.90/S.13		\$35.00	No
Transporter Plate Misuse	C.90/S.5		\$500.00	No
Turning From Wrong Lane	C.90/S.14		\$35.00	No
Unattended M/V, Engine Running	C.90/S.13		\$35.00	No
Uncovered Load	C.85/S.36		\$200.00	No
Uninsured Operation, Permit	C.90/S.34J		Criminal	No
Unlawful Tinted Glass	C.90/S.9D		\$250.00	No
Unlawful Use Of Siren	C.90/S.16		\$100.00	No
Unlawful Use Of Spotlight	C.90/S.16		\$100.00	No
Unlawfully Attaching Plates	C.90/S.23		Criminal	No
Unlicensed Operation, Allowing	C.90/S.12		\$35.00	No
Unreasonable Speed	C.90/S.17		see page 79	No
Unregistered Oper.	C.90/S.9		\$100.00	No
Unregistered Oper., Permit	C.90/S.9		\$100.00	No
Unsafe Lane Change	C.89/S.4A		\$100.00	No
Unsecured Load	C.85/S.36		\$200.00	No
Using M/V W/O Authority	C.90/S.24		Criminal	In Pres.
Using Someone Else's License	C.90/S.23		Criminal	No
Violation of 540 CMR	C.90/S.31		\$35.00	No
Violation of Permit Restriction	C.90/S.8A		\$35.00	No
Violation of RMV Rule	C.90/S.31		\$35.00	No
Width, MV Over Legal	C.90/S.19		\$100.00	No
Willfully Obstructing Emerg. M/V	C.89/S.7		Criminal	No
Window, Rear	C.90/S.31	540 CMR 4.04(9)(c)	\$35.00	No
Windows, Tinted	C.90/S.9D		\$250.00	No
Windshield Wipers, No	C.90/S.31	540 CMR 4.04(9)(d)	\$35.00	No
Windshield, Cracked	C.90/S.31	540 CMR 4.04(9)(b)	\$35.00	No
Wipers, No Windshield	C.90/S.31	540 CMR 4.04(9)(d)	\$35.00	No
Yield Sign, Fail To Obey	C.89/S.9		\$50.00	No



## OFFENSES LISTED NUMERICALLY

MGL Ch.89, S.2	Passing of Vehicles
MGL Ch.89, S.4A	A. Driving in a Single Lane, Failure to be
	B. Lane changes, Unsafe
	C. Motorcycle, Traveling/Passing
MGL Ch.89, S.4B	A. Breakdown Lane, Illegal use of
MGL Ch.89, S.4B	B. Driving in right Lane, Failure to
MGL Ch.89, S.8	A. Failure to Yield at Intersections, Rotary, Right and Left Turns on Red Light or Stop Signal
MGL Ch.89, S.8	B Intersection, Right of Way
MGL Ch.89, S.9	A. Failure to Stop, Stop Sign Flashing Red Light, Slow to Yield
MGL Ch.89, S.10	B. Traffic Control Signals, One Way Traffic
MGL Ch.89, S.11	C. Crosswalk, Stopping in
MGL Ch.90, S.1	Definition Section
MGL Ch.90, S.7	A. Inspection Stickers
MGL Ch.90, S.7	B. Motorcycle Protective Headgear
MGL Ch.90, S.7	C. Motorcycle Wind/Face Shield
MGL Ch.90, S.7	D. Muffler Required
MGL Ch.90, S.7A	A. Child Passenger Safety
MGL Ch.90, S.7O	Pollution Control Device
MGL Ch.90, S.7Q	Tire Tread Depth
MGL Ch.90, S.8	Restricted Hours, Under Age 18 Driver
MGL Ch.90, S.8B	Learner's Permit/Hours
MGL Ch.90, S.9	Unregistered Motor Vehicle Trailer
MGL Ch.90, S.10	Driving Without a License
MGL Ch.90, S.11	Registration, Certificate of in Possession
MGL Ch.90, S.13	A. Headphones, Wearing while Operating
MGL Ch.90, S.13	Interference With Operation
MGL Ch.90, S.14	A. Left Turns, Improper
MGL Ch.90, S.14	B. Right Turns, Improper
MGL Ch.90, S.14B	Signaling for Turn or Stop
MGL Ch.90, S.16	A. Muffler, Illegal
MGL Ch.90, S.16	B. Noise from Vehicle, Illegal
MGL Ch.90, S.16	C. Smoke/Pollutants, Excessive Amounts from Motor Vehicles
MGL Ch.90, S.16	D. Tires, Metal Studded

MGL Ch.90, S.17	Speed Limit Violations
MGL Ch.90, S.21	Arrest Without a Warrant
MGL Ch.90, S.22B	Abandoned Motor Vehicles
MGL Ch.90, S.23	A. Number Plate, Concealment/Transfer
MGL Ch.90, S.23	B. Revocation/Suspension of License, Operating Under
MGL Ch.90, S.24(1)(a)	Driving Under the Influence of Alcohol/Drugs
MGL Ch.90, S.24(2)(b)	A. Accident, Leaving the Scene, Property Damage
MGL Ch.90, S.24(2)(a)	B. Accident, Leaving the Scene, Injury
MGL Ch.90, S.24(2)(a)	C. Driving to Endanger
MGL Ch.90, S.24(2)(a)	D. Racing on Public Way
MGL Ch.90, S.24(2)(a)	E. Reckless Driving
MGL Ch.90, S.24(2)(a)	F. Unauthorized Use of a Motor Vehicle
MGL Ch.90, S.24G(a)	A. Death Resulting from OUI
MGL Ch.90, S.24G(a)	B. Motor Vehicle Homicide-Type 1
MGL Ch.90, S.24G(b)	Motor Vehicle Homicide-Type 2
MGL Ch.90, S.24I	Drinking from Open Container While Operating
MGL Ch.90, S.25	Police Officer, Failure to Obey
MGL Ch.90, S.34J	Insurance, Operating Without
MGL Ch.90, S.34C	Alcoholic Beverages, Transportation of by Person Under 21
MGL Ch.148, S.54	Throwing Lighted Cigarettes from Motor Vehicle
MGL Ch.265, S.32	Throwing or Dropping Glass on a Public Way
MGL Ch.265, S.35	Throwing or Dropping Objects on to Any Way
MGL Ch.266, S.28	Larceny of a Motor Vehicle or Trailer
MGL Ch.266, S.121A	Trespass by Motor Vehicle
MGL Ch.268, S.32	Motorist Callbox, Defacing/False Calls
MGL Ch.270, S.16	Unlawful Disposal of Garbage
MGL Ch.270, S.17	Trash Barrels along Highways, Restrictive Use
720 CMR 9.03(2)	Parking on a State Highway
720 CMR 9.05(1)	One Way Street Violations
720 CMR 9.05(2)	Rotary, Operating in Wrong Direction While in

720 CMR 9.06(1)	Lane, Failure to Operate in Marked
720 CMR 9.06(2)	Lane, Failure to Operate in Right
720 CMR 9.06(4)	Passing Vehicles, Failure to Use Care While Attempt
720 CMR 9.06(5)	Passing Vehicle, Failure to Give way to Operator in
720 CMR 9.04(6)(b)	Intersections, Unlawful Entering
720 CMR 9.06(7)	Following a Motor Vehicle to Closely
720 CMR 9.06(9)	Stopping, Failure to Use Caution While
720 CMR 9.06(10)	Traffic Control Signals (lights), Failure to Obey
720 CMR 9.06(14)	Yield, Failure to
720 CMR 9.06(16)	Divided Roadway, Failure to Keep Right on
720 CMR 9.06(18)	Construction, Road Closed for, Operation on
720 CMR 9.06(19)	Sidewalk, Operation of Motor Vehicle on
720 CMR 9.06(23)	Traffic Markings, Failure to Obey
720 CMR 9.08(3)	Failure to Obey a Police Officer
720 CMR 9.08(3)	Ramps, Backing Up to Gain Access



## **Operator Licensing**

### **540 CMR 2.07(1)**

- Class A** - Any combination of vehicles with a GVWR in excess of 26,001 or more lbs. provided that the GVWR of the vehicle being towed is in excess of 10,000 lbs.
- Class B** - Any single vehicle with a GVWR of 26,001 or more lbs., or any such vehicle towing a vehicle not in excess of 10,000 lbs. GVWR.
- Class C** - Any single vehicle, or combination of vehicles that does not meet the definition of Class A or that of Class B as contained herein, but that either is designed to transport 16 or more passengers including the driver, or is required to be placarded for hazardous materials.
- Class D** - Any single vehicle or combination of vehicles that does not meet the definition of Class A, Class B, Class C, or Class M, as contained herein.
- Class M** - Any motor vehicle defined as a Motorcycle by MGL C.90/S.1.

# MASSACHUSETTS SPEEDING FINE CHART

MPH OVER LIMIT	FINE ASSESSMENT	MPH OVER LIMIT	FINE ASSESSMENT	MPH OVER LIMIT	FINE ASSESSMENT
1	\$ 50.00	31	\$260.00	61	\$560.00
2	\$ 50.00	32	\$270.00	62	\$570.00
3	\$ 50.00	33	\$280.00	63	\$580.00
4	\$ 50.00	34	\$290.00	64	\$590.00
5	\$ 50.00	35	\$300.00	65	\$600.00
6	\$ 50.00	36	\$310.00	66	\$610.00
7	\$ 50.00	37	\$320.00	67	\$620.00
8	\$ 50.00	38	\$330.00	68	\$630.00
9	\$ 50.00	39	\$340.00	69	\$630.00
10	\$ 50.00	40	\$350.00	70	\$650.00
11	\$ 60.00	41	\$360.00	71	\$660.00
12	\$ 70.00	42	\$370.00	72	\$670.00
13	\$ 80.00	43	\$380.00	73	\$680.00
14	\$ 90.00	44	\$390.00	74	\$690.00
15	\$100.00	45	\$400.00	75	\$700.00
16	\$110.00	46	\$410.00	76	\$710.00
17	\$120.00	47	\$420.00	77	\$720.00
18	\$130.00	48	\$430.00	78	\$730.00
19	\$140.00	49	\$440.00	79	\$740.00
20	\$150.00	50	\$450.00	80	\$750.00
21	\$160.00	51	\$460.00	81	\$760.00
22	\$170.00	52	\$470.00	82	\$770.00
23	\$180.00	53	\$480.00	83	\$780.00
24	\$190.00	54	\$490.00	84	\$790.00
25	\$200.00	55	\$500.00	85	\$800.00
26	\$210.00	56	\$510.00	86	\$810.00
27	\$220.00	57	\$520.00	87	\$820.00
28	\$230.00	58	\$530.00	88	\$830.00
20	\$240.00	59	\$540.00	89	\$840.00
30	\$250.00	60	\$550.00	90	\$850.00

# NOTES







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